

**4MEETING OF THE CITY COUNCIL OF
THE CITY OF HOMEWOOD, ALABAMA**

August 10, 2020

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, August 10, 2020 at City Hall at 6:00 p.m.

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, 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; J.J. Bischoff, Chief of Staff; and Mayor Scott McBrayer. Absent: Andrew Wolverton.

At this time, Councilor Wyatt moved to dispense with the reading of the Minutes of the Council Meeting of July 27, 2020 and approve them as presented. 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.

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

President Wright stated that the application period for the Ward 1 Arts Advisory Council would be opened until August 31, 2020 at 4:30 p.m.

President Wright stated that the application period for the Ward 1 Historic Preservation Commission would be opened until August 31, 2020 at 4:30 p.m.

Councilor Wolverton entered the Council Chambers at 6:08 p.m.

President Wright amended the published Council Agenda to add the following items to the Committee Referral Agenda: Item No. 10.08.20 – Request to address traffic concerns on Virginia Drive concerning school safety – Councilors McClusky and Wolverton – Public Safety Committee.

Councilor Higginbotham 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

None.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 08.07.20 – Public Hearing continued from 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.

President Wright continued the Public Hearing at 6:10 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. Scott Cook addressed the Council and stated that the car had been moved off of the property.

President Wright declared the Public Hearing closed at 6:11 p.m.

Councilor McClusky moved to drop this item. 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 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 (First Reading held 7/27/20 and Carried Over 7/27/20).

Mr. Greg Cobb addressed the Council regarding this item.

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

Ordinance No.

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

The Council then held discussion regarding this item.

Councilor Smith moved for approval. 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: none. Nays: Councilors Gwaltney, Thames, Higginbotham, Wolverton, McClusky, Jones, Smith, Wyatt, Address, Hardin, and Wright.

The motion failed.

The next item on the Agenda under Old Business was Item No. 02.05.20 – Request to consider adopting a Donated Sick Leave Policy for City Employees– Mayor Scott McBrayer, Melody Salter, CPA (City Clerk/Assistant Finance Director), Robert Burgett (Finance Director/Assistant City Clerk) and the Employees Benefit Committee.

Councilor Jones stated that the Finance Committee met on August 3, 2020 and voted 5-0 to recommend approval.

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

Resolution No. 20-108

(A Resolution for a Donated Sick Leave Policy for City Employees)

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. 12.07.20 – Request to consider Sims Garden Funding – Councilor Thames/Councilor Gwaltney/Amy Milam.

Councilor Gwaltney stated that the Public Works Committee met on August 3, 2020 and voted 5-0 to recommend approval.

Councilor Jones stated that the Finance Committee met on August 3, 2020 and voted 5-0 to recommend approval of funding not to exceed \$120,000.00 from Building Maintenance.

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

Resolution No. 20-109

(A Resolution for Sims Garden Funding)

President Wright asked if the Council had any questions or comments regarding the Public Works and Finance Committees' motions. 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. 23.07.20 – Recommend amending parking ordinance to allow for police station – Councilors Thames and Gwaltney.

Councilor Gwaltney stated that the Public Works Committee met on August 3, 2020 and voted 5-0 to recommend approval.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:42 p.m.:

Ordinance No.

(An Ordinance amending parking ordinance to allow for police station)

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

The Council then held discussion regarding the proposed Ordinance.

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

Ordinance No. 2777

(An Ordinance amending parking ordinance to allow for police station)

Councilor Thames moved for the enrollment and adoption and publication according to law of Ordinance No. 2777. 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 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. 22.07.20 – Request to limit vehicles at residential properties – JJ Bischoff, Chief of Staff and City Attorney Mike Kendrick.

Councilor Smith stated that the Special Issues Committee met on August 3, 2020 and voted 5-0 to recommend approval pending judge's approval.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:48 p.m.:

Ordinance No.

(An Ordinance to limit vehicles at residential properties)

Councilor Wyatt 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. 2778

(An Ordinance to limit vehicles at residential properties)

Councilor Smith moved for the enrollment and adoption and publication according to law of Ordinance No. 2778. 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, Address, Hardin, and Wright.

The motion carried without dissent.

COMMITTEE REFERRAL AGENDA

- 01.08.20 Request to set a Public Hearing and referral to the Special Issues Committee to declare a dead tree at 28 Edgehill Road a Public Nuisance – Jennifer Address – Special Issues Committee**
- 02.08.20 Request to surplus the following seized vehicles: 1996 Lincoln Towncar VIN 1LNLM81W9TY624965 and 2000 Chevy Tahoe VIN 1GNEK13T8YJ151192 and request to surplus outdated firearms – Capt. Ben Sutton/Police Dept. – Finance Committee**
- 03.08.20 Request for consideration of a drainage study for Kennelworth Drive – Phillip Mum/Greg Cobb, BEZ – Finance Committee**
- 04.08.20 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**
- 05.08.20 Request for consideration of a resolution to adopt transportation plan pursuant to the Rebuild Alabama Act – Berkley Squires/Robert Burgett, Finance Director/Assistant City Clerk and Melody Salter, CPA, City Clerk/Assistant Finance Director – Finance Committee**
- 06.08.20 Request for consideration to add street light at Poinciana/Hermosa – Jennifer Address – Public Safety Committee and Finance Committee**
- 07.08.20 Request to set a Public Hearing and referral to the Planning and Development Committee for consideration of rezone property at 3019**

Firefighter Lane (PID 28-00-07-3-032-010.000) from a R-5 (Attached Dwelling Unit District) to R-4 (Attached Dwelling Unit District): Applicant: Jason Hale/Willow Homes/Owner(s): Annie Mae Cooley to permit the development of two separate single-family houses. **(The Planning Commission had a vote of 8-0 for a favorable recommendation of the rezone) – Wyatt Pugh – Planning and Development Committee**

08.08.20 Request to set a Public Hearing and referral to the Planning and Development Committee for consideration of declaring house at 2541 Central Avenue (PID # 28-00-07-2-010-008.000) a public nuisance – **Wyatt Pugh – Planning and Development Committee**

10.08.20 Request to address traffic concerns on Virginia Drive concerning school safety – **Councilors McClusky and Wolverson – Public Safety Committee**

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

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No. 01.08.20 – Request to set a Public Hearing to declare a dead tree at 28 Edgehill Road a Public Nuisance – Jennifer Andress.

President Wright stated that a Public Hearing would not be needed for this item.

The next item on the Agenda under Other New Business was Item No. 07.08.20 – Request to set a Public Hearing for consideration of rezone property at 3019 Firefighter Lane (PID 28-00-07-3-032-010.000) from a R-5 (Attached Dwelling Unit District) to R-4 (Attached Dwelling Unit District): Applicant: Jason Hale/Willow Homes/Owner(s): Annie Mae Cooley to permit the development of two separate single-family houses. (The Planning Commission had a vote of 8-0 for a favorable recommendation of the rezone) – Wyatt Pugh.

President Wright stated that the Public Hearing would be set for September 14, 2020 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 08.08.20 – Request to set a Public Hearing for consideration of declaring house at 2541 Central Avenue (PID # 28-00-07-2-010-008.000) a public nuisance – Wyatt Pugh.

President Wright stated that the Public Hearing would be set for August 31, 2020 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 09.08.20 – Request for consideration of approval of vouchers for period of July 27, 2020 through August 10, 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. 20-110

(A Resolution for approval of vouchers for period of July 27, 2020 through August 10, 2020)

Councilor Thames moved for the adoption and enrollment of Resolution No. 20-110 with one late addition. 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.

Councilor Gwaltney stated that the Public Works Committee would meet on August 17, 2020 at 5:30 p.m.

Councilor Thames stated that the Planning and Development Committee would meet on August 17, 2020 at 5:45 p.m.

Councilor McClusky stated that the Public Safety Committee would meet on August 17, 2020 at 6:00 p.m.

Councilor Jones stated that the Finance Committee would meet on August 17, 2020 at 5:00 p.m.

Councilor Smith stated that the Special Issues Committee would meet on August 17, 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 7:09 p.m.