

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

September 10, 2018

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, September 10, 2018 at City Hall at 6:00 p.m.

At this time, President Limbaugh asked Judge Davis Lawley to address the Council.

Judge Davis Lawley address the Council and stated that he was a candidate for Juvenile Court Judge and provided information on his platform.

Mayor McBrayer addressed the Council and presented a proclamation to Ms. Cheryl Bourn in honor of GYN Cancer Awareness Month.

The invocation was given by Councilor Walter Jones, after which the Pledge of Allegiance was given.

The meeting was called to order by President Bruce Limbaugh at 6:13 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, 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: Andrew Wolverton.

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Regular Council Meeting of August 27, 2018 and approve them as distributed. 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.

At this time, President Limbaugh amended the published Council Agenda to add the following items to the Consent Agenda: Item No. 12.07.18 – Request to address speeding concerns on Devon Drive – Kyle Church/Jennifer Andress; Item No. 13.07.18 – Request for consideration to add handicap parking space in front of Big Bad Breakfast at 1926 29th Avenue – Randy Hambley, Traffic Maintenance; Item No. 03.08.18 – Request to address bus stop and shelter options on 18th Street – Jennifer Andress and Barry Smith; Item No. 17.10.17 – Request for consideration of Alabama Power’s proposal for the

installation of Tesla electric vehicle charging stations adjacent to several Homewood public parking spaces – Robin White, Alabama Power/Wyatt Pugh, BEZ Department.

President Limbaugh further amended the published Council Agenda to add the following items to the Old Agenda: Item No. 15.07.18 – Request for consideration of Reese Street Improvements – Britt Thames; Item No. 20.08.18 – Request for consideration for declaring items as surplus (See Exhibits) – Chief Bresnan/Gordon Jaynes.

President Limbaugh further amended the published Council Agenda to add the following item to the Committee Referral Agenda: Item No. 27.08.18 – Request for consideration to authorize the Mayor to execute the property sale adjacent to 431 Green Springs Highway – Mayor McBrayer – Finance Committee.

President Limbaugh further amended the published Council Agenda to add the following item to the Other New Business Agenda: Item No. 11.09.18 – Request for the Mayor to sign amended contract with ALDOT for 18th Street Revitalization – Greg Cobb, BEZ Department.

Councilor Jones moved for the approval of the Council Agenda as amended. Councilor McClusky 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

12.07.18 Request to address speeding concerns on Devon Drive – **Kyle Church/Jennifer Andress (Carried Over 8/20/18)**

Action Taken: The Public Safety Committee met on September 10, 2018 and, after hearing report from Mr. Randy Hambley, voted 4-0 to recommend dropping this item. The motion was made by Councilor Thames and seconded by Councilor Wyatt.

13.07.18 Request for consideration to add handicap parking space in front of Big Bad Breakfast at 1926 29th Avenue – **Randy Hambley, Traffic Maintenance (Carried Over 8/20/18)**

Action Taken: The Public Safety Committee met on September 10, 2018 and voted 4-0 to recommend dropping this item. The motion was made by Councilor Thames and seconded by Councilor Wyatt.

03.08.18 Request to address bus stop and shelter options on 18th Street – **Jennifer Andress and Barry Smith (Carried over 8/20/18)**

The Public Works Committee met on September 10, 2018 and voted 4-0 to recommend dropping this item. The motion was made by Councilor McClusky and seconded by Councilor Wyatt.

17.10.17 Request for consideration of Alabama Power’s proposal for the installation of Tesla electric vehicle charging stations adjacent to several Homewood public parking spaces – **Robin White, Alabama Power/ Wyatt Pugh, BEZ Department (Tabled 1/22/18)**

Action Taken: The Public Works Committee met on September 10, 2018 and voted 4-0 to take this item off the Table. The motion was made by Councilor McClusky and seconded by Councilor Wyatt. The Committee then voted 4-0 to recommend dropping this item. The motion was made by Councilor McClusky and seconded by Councilor Wyatt.

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

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 13.08.18 – Request 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. (Carried over 8/27/18)

Mr. Scott Cook addressed the Council and stated this property was owned by Bama Properties, which did DNA testing, and was used as a lab. Mr. Cook further stated that the owner was so concentrated on his business he just failed to keep up his property but when they brought it to his attention he had done everything to come into compliance so his recommendation would be to drop this item.

Councilor Jones moved to drop this item. Councilor McClusky 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 considered under Old Business was Item No. 15.07.18 – Request for consideration of Reese Street Improvements – Britt Thames.

Councilor Jones stated that the Finance Committee met earlier tonight, prior to the Council Meeting, and voted 4-0 to recommend approval of up to \$5,000.00 from Small Infrastructure.

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

Councilor Jones then moved for approval.

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 considered under Old Business was Item No. 20.08.18 – Request for consideration for declaring items as surplus (See Exhibits) – Chief Bresnan/Gordon Jaynes.

Councilor Jones stated that the Finance Committee met earlier tonight, prior to the Council Meeting, and voted 4-0 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 first reading of the proposed Ordinance for the Council's consideration at 6:23 p.m.:

Ordinance No.

(An Ordinance declaring items as surplus)

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. There was no response from the Council.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Thames, Higginbotham, McClusky, Jones, 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. 2712

(An Ordinance declaring items as surplus)

Councilor Thames moved for the enrollment and adoption and publication according to law of Ordinance No. 2712. Councilor Wright 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, McClusky, Jones, Smith, Wyatt, Address, Wright, and Limbaugh.

The motion carried without dissent.

The next item considered under Old Business was Item No. 18.08.18 – Request for consideration to contract for city-wide traffic study – Andy Gwaltney/Britt Thames.

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

COMMITTEE REFERRAL AGENDA

- 01.09.18** Request for consideration for city to remove tree in alley right-of-way at 131 East Hawthorne Road to accommodate homeowner's proposed construction of new detached garage – Scott Jenkins, homeowner/Wyatt Pugh, BEZ – **Public Works Committee**
- 02.09.18** Request for consideration to address accessibility concerns at multiple sidewalk/bridge junctures along the Lakeshore Trail – Andrew Wolverton – **Public Works Committee**
- 03.09.18** Request for consideration to work in the city right-of-way to replace sidewalk, remove trees, connect water supply and storm drain, construct retaining wall and tie-in curb for Bell Center at 1700 29th Court South – James Decker, Brasfield & Gorrie/Wyatt Pugh, BEZ – **Public Works Committee**

- 04.09.18** Request for consideration of establishing the Sims Garden Advisory Board – Andy Gwaltney/Britt Thames – **Special Issues Committee**
- 05.09.18** Request for consideration of adding a crosswalk at 19th Place South at 29th Avenue South (between Real & Rosemary and Urban Cookhouse) – Thomas Longino/Jennifer Andress – **Public Safety Committee**
- 06.09.18** Request for consideration for budget amendments – Berkley Squires/Robert Burgett, Acting City Clerk – **Finance Committee**
- 27.08.18** Request for consideration to authorize the Mayor to execute the property sale adjacent to 431 Green Springs Highway – **Mayor McBrayer**

Councilor Higginbotham moved for the approval of the amended Committee Referral Agenda. Councilor Gwaltney 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 considered under Other New Business was Item No. 08.09.18 – Request for discussion of business licensing issues regarding Bird Scooters – Robert W. Burgett, Finance Director.

Mr. Servando Esparza, Senior Manager of Government Relations for Bird Scooters in the Southeast Region of the United States, addressed the Council and stated that Bird provided a fleet of low speed electric scooters that gave people an affordable, reliable, and fun way to get around town, while helping cities solve the problems of traffic, parking, and carbon emissions. Mr. Esparza further stated that how the scooters worked was that they were deployed in nests and usually there were about three scooters per nest and they were placed around town in locations with wide enough sidewalks or that already had bike parking and ideal locations where they would not be blocking any sidewalk or pedestrian right-of-ways. Mr. Esparza added that a user downloaded an app, created an account, and a Bird could be located through the app which would show a map, and each of the scooters had GPS on them so once someone created an account, scanned their ID to prove they were over 18, then they could scan the bar code that was on the actual scooter and then take it for a ride. Mr. Esparza further added that it was \$1.00 to unlock and .20 per minute and in the United States most of the rides were about 1.5 miles and typically the space they worked in was too far for someone to walk but too short for someone to drive or take an Uber or Lyft.

Mr. Esparza stated that the launch in Birmingham and Homewood was a part of the University Pop-Up Tour to gauge interest and provide this alternative transportation option for college students in communities with Universities, which seemed to have a lot of density. Mr. Esparza further stated that college students were some of their earliest adopters and those individuals either lived on campus or did not have a vehicle that first year so this was a really good option for them that they had seen in other places. Mr. Esparza added that they were encouraged by the high level of interest by residents of Homewood and that was why they applied for a business license after they launched. Mr. Esparza further added that Bird was committed to safety and the scooters had a maximum speed of 15 miles per hour on a level surface and on the app they remind their users to always wear helmets and they offered free helmets at Pop-Up events and if someone asked for one through the app, they would ship them one for just \$1.99 and users just paid the shipping and handling.

Mr. Esparza stated that one of the things that was special to their specific company was that they had a "Save Our Streets Pledge," which consisted of three points, one was that they gave every city where they operated in \$1.00 per vehicle per day to help them run safety campaigns and invested in bike lanes and that was on top of the taxes that would already normally be paid because they thought it was important to invest in locations where they would love to see more bike lanes appear. Mr. Esparza further stated that Bird Scooters were collected every night to be charged about 8:00 p.m. so they would have people come pick them up and they would be distributed back into the nests by about 7:00 a.m. so they would be useful for the whole day. Mr. Esparza added that they had responsible growth which was what they thought was important about a program like this so they did not oversaturate the market with too many Birds so they did not increase the number of Birds until they had at least three rides per Bird per day on average for a week because that told them that there was enough demand that it was safe for them to grow and they also pulled back the number of Birds if they just saw one ride per scooter per day on average for a week which told them that people were not riding. Mr. Esparza further added that he knew there was frustration because they launched without notification which was why he was here to say that they would apologize and work with them on a program because there was potential here and it was a great city with great residents who would love to have this alternative option so he was hoping they would consider implementing a program here in Homewood.

Councilor Smith stated that it was a bit of a shock to drive to work and suddenly see scooters cluttering their sidewalks and they did not appreciate people coming to get their business license after they had already launched their businesses, because people typically did that the right way, which was come to the city before hand and also get the correct permits needed. Councilor Smith further stated that she would like to know how they made sure that people under 18 did not drive the scooters because on the day that

they put them out without permission, several Council members saw people riding the scooters who were not 18 years old.

Mr. Esparza replied that in order to have the first rental, users had to scan a driver's license or ID to prove they were 18 but what they saw was that some parents would let their children use them and for them they did not have an immediate shut down for that but if someone reported that, they would provide a warning the first time and say that this was not allowed under the user agreement and was not safe and if it happened again they could shut down their account because their account was linked to their phone number, and email, and they had also scanned their ID so it would be impossible for them to recreate another account.

Councilor Smith stated that he mentioned that they would ship helmets for \$1.99 which was great but it did not help with the person who was on the scooter at the time that they were riding it without a helmet so if they fell, getting a helmet in the mail two weeks later would not help. Councilor Smith asked if, other than telling people safety tips, if there was any kind of thought process as to how they could regulate the safety of the scooters because people could ride them in the streets. Councilor Smith asked if the scooters were street legal.

Mr. Esparza replied yes and stated that it depended on the local community if they wanted to keep them on the sidewalks or only allowed them on the street but depended on the municipality and what infrastructures were in place. Mr. Esparza further stated that the warnings they provided did not preclude anyone from getting a violation from violating the law so if someone was using one of the scooters and disregarded a stop sign or was just being reckless then that person was still liable and a police officer could stop them for using a vehicle in an improper way. Mr. Esparza added that internally what they were doing was setting up tools to make it easier for an individual to use the map to report users that provided them with the most information instead of getting a report in an email or phone call.

Councilor Smith stated that they were essentially putting the burden of safety on other people to report to them as opposed to the company being proactive and putting safety controls in place.

Mr. Esparza replied that it was more of an enforcement piece but on the front end there was a series of about eight slides that they must go through in order to have their first ride then the ninth one was either local rules if the city decided to have specific rules regarding sidewalks but it stated to always wear a helmet, only one person per use, no kids under 18, and those reminders had to be seen before a scooter could be used for the first time.

Councilor Smith asked to verify that there was no way to enforce those rules though they could say they were 18 but there was no way to actually enforce that.

Mr. Esparza replied that tickets and no longer being to use the app would enforce the rules.

Councilor Smith stated that this would be on the City Police Department to enforce.

Mr. Esparza replied that the enforcement of no longer letting them use the app itself would be on them.

Councilor Wright stated that he understood their mistake on the business license which was incredibly unprofessional and that type of mistake was not something they could be flippant about as an oversight because they were putting danger in people's hands. Councilor Wright further stated that if they were following the same model of the bike docking stations, they came in and did studies, they did communications, they provided information, and they asked the city if they wanted them to do it but they were not doing that. Councilor Wright added that they needed to consider running their business in that type of way and they would not have all of these types of complaints which were going on nationwide. Councilor Wright asked what if someone got hurt like a child who used a fake ID and asked if they had indemnity agreements to protect themselves.

Mr. Esparza replied that they provided indemnity agreements with the cities themselves so that the cities were not liable for anything that occurred on a scooter.

Councilor Wright asked how they protected themselves.

Mr. Esparza replied that his understanding was that typically if someone was reckless on their own and had nothing to do with the scooter itself, then that person still remained liable for any of those actions but he did not know of any cities that had specific issues where there had been liability placed on the city itself for operations.

Mr. Kendrick stated that he had done a good bit of research and was a member of a working group of international municipal attorneys and their business plan all over the country had been exactly what it had been here which was to show up at night and drop off scooters. Mr. Kendrick further stated that there was an article published in the most recent Emblem Magazine about his industry and it was not just him but it was his industry although he was a smaller player in that industry but to be quite honest they needed to have a moratorium of any type of this business until they developed some rules and regulations because this was a new transportation business and a new model just like Uber was when they had to develop rules and now the state had adopted policy and

procedure. Mr. Kendrick added that there needed to be indemnity agreements and they had working agreements all over the county, most recently in Memphis, so they needed to develop a policy, procedure, rules and regulations that certainly benefited the public and his company. Mr. Kendrick further added that it was his business plan to do exactly what he did here and he had done it all over the country and it had been reported by numerous different cities criticizing what had been happening with this industry and they did not need to let that happen here so they needed to have in place reasonable rules and regulations that protected the city and protected the people who used their scooters because it might be a very attractive option and they were very open to that but there were some things they needed to do before they were authorized to do business.

Councilor Wyatt stated that the indemnity agreements did not do them any good if they just dropped off the scooters. Councilor Wyatt further stated that they had not entered into any indemnity agreements so those were irrelevant at this point so if they were going to drop off 40 scooters without an indemnity agreement, if there was a need for the agreement, why were they not coming to them before to do that. Councilor Wyatt asked where it stated on the app that users had to be 18 to ride the scooters.

Mr. Esparza replied that it was stated on the safety outlines on the eight pages.

Councilor Wyatt stated that he just downloaded the app and he did not see that information.

Mr. Esparza replied that before they took their first ride they had to scan their ID and then it gave the requirements.

Councilor Wyatt asked if once they put in their information it would tell them that nobody under 18 was supposed to ride it.

Mr. Esparza replied that they could not unlock a scooter with an account until an ID had gone through review and proved they were 18.

Councilor Wyatt asked if they ever told parents not to let their children ride it or if they just assumed parents were handling that.

Mr. Esparza replied that he would have to double check on that notification but he believed that it was pretty thorough about the 18 year requirement.

Councilor Jones asked if the scooters were street legal.

Mr. Kendrick replied that they were not.

Mr. Esparza replied that they operated in a lot of areas in the U.S. and in some areas that they are street legal but Alabama laws might be different.

Councilor Jones stated that the point they were making was that they should know what the laws were before they came in and told people they could ride them on street or sidewalks.

Councilor Wright asked if Mr. Esparza was in charge of the southeast operations.

Mr. Esparza replied that he was in charge of Government Relations in the southeast.

Councilor Wright asked if they had any local representatives in the state of Alabama.

Mr. Esparza replied no, not at this point.

Councilor Wright asked where he was from.

Mr. Esparza replied Texas.

Mr. Kendrick asked if his company was out of California.

Mr. Esparza replied yes.

Mr. Kendrick asked if he was a part of the agreement that they just reached with Memphis in the last couple of weeks.

Mr. Esparza replied no.

Mr. Kendrick replied that the same thing happened in Memphis and Memphis impounded their vehicles and then they came up with an interim agreement that they were working under presently. Mr. Kendrick stated that he was not prepared tonight to give a proposal but they did need to work on this before they allowed them or something similar to operate in the city.

Councilor Wright asked if all the scooters were impounded.

Councilor Smith replied that the Police Department and Mr. Cook impounded all the scooters that were in public right-of-way but if they were on private property they could do that but there were 51 impounded.

Mayor McBrayer addressed the Council and stated that he met with Mr. Esparza earlier and he thought that there was no way they could go forward with the business until some things were able to be done to accommodate people but one of the things that he did tell him was that the Council was progressive and forward thinking and that they would certainly consider alternative transportation because they were a city that was selected as the most walkable city in the state for the last three years and they were

investing heavily in sidewalks and bike lanes so they were not opposed to different types of transportations but he would not be in favor of something happening tonight. Mayor McBrayer further stated he did feel like however long it took that they were open to at least looking at it again and if it worked for them and it was something that the residents wanted then great but if it wasn't then it would just not work here.

President Limbaugh stated that with any business model they started with asking if there was need or a demand and to his knowledge he had not heard from anyone that they were interested.

Councilor Andress stated that she did have a few people reach out to her to express interest but she thought 60 days once they were finished passing the budget would be fair.

Councilor Jones moved to set a 60 day moratorium on licensing and have a committee work with Mr. Kendrick on drafting some type of proposal that they could vote on and enact. Councilor Andress seconded the motion.

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

Councilor Gwaltney stated that, while the deployment was poor, he did think it was a positive for them to consider it because it was a catalyst for them to drive bike lanes further into the neighborhoods and have a better platform for the scooters to get around and he looked at them like a bike because there was individual responsibility when someone got on a bike but they had responsibilities as a business and being responsible for the deployment of them but he did not want them to close their minds to this because it was a good option and the market would determine if there was no demand for it.

Mr. Kendrick stated that if the Bird Scooter Company had rules and regulations that they wanted to submit, he welcomed them to do that and to share the benefit of what they might have worked out with other cities.

On a voice vote, the motion carried without dissent.

Mr. Scott Cook addressed the Council and stated that he met Mr. Esparza this afternoon and would get word out to the chargers not to put anymore out in the city but there were a few on private property that they did not control and did have an adjoining city, Birmingham, which might still have them, so they might still see some from driving from other places but don't make a quick assumption that they were back in business and not following the moratorium.

The next item considered under Other New Business was Item No. 09.09.18 – Request for consideration to renew AT & T U-Verse contract – Mayor Scott McBrayer/Terri Williams, AT & T.

Councilor Higginbotham asked if this would go before the Cable Commission for review.

Mr. Kendrick replied that he did not know if they had reviewed it and stated that the contract would renew it from its present term which expired at the end of the month for five additional years under the exact same conditions under the previous contract.

Councilor Jones stated that his concern was that they had AT&T people going all over their neighborhoods with dark fiber being put in and he wanted to address what additional improvements had been made and understand what the plan was for U-Verse because they were putting in high speed lines and had dug up neighbors back yards and he had received a lot of complaints so it should go before the Cable Commission.

Mr. Kendrick stated that the original agreement and this agreement had nothing to do with designated U-Verse but was video services it provided so it was not a U-Verse agreement, but was a video services agreement based on their ordinance that they adopted.

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

The next item considered under Other New Business was Item No. 11.09.18 – Request for the Mayor to sign amended contract with ALDOT for 18th Street Revitalization – Greg Cobb, BEZ Department.

Councilor Wright asked what information had been amended.

Councilor Thames asked if this was for the addition of the right turn on Valley Avenue.

Mr. Greg Cobb address the Council and stated that they had some word changes.

Mr. Kendrick stated that they approved this in 2017 and they sent Mr. Cobb a new proposal last week and provided the same amount of money.

Mr. Cobb stated that the Council approved the Mayor to sign it in February 2017 but ALDOT stated that they did not have it and he did not have it.

Mr. Kendrick stated that it was signed and they adopted a Resolution approving it and he had a copy of Resolution 17-188.

Mr. Cobb stated that what started this was that he sent in some reimbursement for some work that had already been started and they said that they had to sign the new agreement before they could provide them with the reimbursement.

Councilor Wright asked if the contract was for the same terms.

Mr. Cobb replied that the only change he could find in the contract was that the estimated construction cost went up a little bit but the rest of the numbers were the same.

Councilor Jones asked if they could ask ALDOT to provide the differences if this was an amended contract.

Mr. Kendrick stated that from the city's standpoint, from the funds that were dedicated it was essentially within \$1,000.00 because in 2017 they were paying \$60,000.00 for engineering and now it was \$61,018.00 and for the right-of-way acquisition they had budgeted \$20,200.00 and now it was \$20,606.00 and for utilities they budgeted \$20,200.00 and now it was \$20,606.00 and for the local matching funds they budgeted \$300,000.00 and now it was still \$300,000.00.

President Limbaugh asked if they approved this tonight if this would get the project going expeditiously.

Mr. Cobb replied yes and stated that if it was signed tonight, he would hand deliver it tomorrow.

Mr. Kendrick stated that there was an approximate \$1,800.00 difference from 2017.

Councilor Thames asked if there were any other changes other than the \$1,800.00.

Mr. Cobb replied that if they took the contract and laid it side by side he could not find anything different but it was a long document.

Councilor Thames moved to approve subject to there being no major changes. Councilor Gwaltney seconded the motion.

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

Councilor Wright asked Mr. Cobb to communicate back to the Council on the changes.

Mr. Cobb replied that when he went there tomorrow he would make them point out what wording they changed.

On a voice vote, the motion carried without dissent.

The next item considered under Other New Business was Item No. 10.09.18 – Request for consideration of approval of vouchers for period of August 27, 2018 through September 9, 2018 – City Treasurer/Finance Committee.

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

Resolution No. 18-121

(A Resolution for approval of vouchers for period August 27-September 9, 2018)

Councilor Jones moved for the adoption and enrollment of Resolution No. 18-121. 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.

The next item considered under Other New Business was Item No. 07.09.18 – Request to authorize the Mayor to sign an agreement with ALDOT for the proposed crosswalk and traffic signal on Shades Creek Parkway – Greg Cobb, BEZ.

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

Resolution No. 18-122

(A Resolution to authorize the Mayor to sign an agreement with ALDOT for the proposed crosswalk and traffic signal on Shades Creek Parkway)

Councilor Andress moved for the adoption and enrollment of Resolution No. 18-122. Councilor Jones seconded the motion.

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

Councilor Jones stated that he wanted to say what a great job Councilor Andress did because he met with the director two years ago and he said they could never approve it because it was too wide of a road so he appreciated her effort in leading this project and not giving up and getting it done.

On a voice vote, the motion carried without dissent.

Mayor McBrayer addressed the Council and stated that in the morning they would have the 9/11 Ceremony beginning at 8:30 a.m. hosted by Vestavia Hills and every year Homewood, Mountain Brook, and Vestavia Hills merged together and alternated who would host this ceremony. Mayor McBrayer further stated that he had a great meeting with Mayor Welch from Mountain Brook and Mayor Woodfin from Birmingham to talk about the Pedestrian Bridge and the meeting after the meeting was probably the best part of it because they had a chance to get to know each other, the challenges they each faced, and how they could work together. Mayor McBrayer added that including Mayor Woodfin in the quarterly Over the Mountain Mayors' Meetings was a positive thing for the city, for the residents, and for the businesses because they wanted them to succeed and he relayed to him that he had a great Council that would support a lot of the things that they were trying to do and they needed their support with things that Homewood was trying to do. Mayor McBrayer further added that he wanted to congratulate Chief Bresnan and the Fire Department for the ISO Rating that the City of Homewood received because on the last review they missed the number one rating by less than half a point so they knew the things they needed to improve to obtain that number one rating so when he presented a budget to the Council and they were talking about specific reasons for personnel and specific things that they asked for in a budget as far as equipment was concerned, all those things inched them a little closer to that rating and he believed they told them that the City of Homewood was one of 364 Fire Departments across the nation that had achieved an ISO rating of number one so that said a lot about their Chief and said a lot about everyone doing the work and the Council for supporting them financially through the budget to give them the things that they needed that in turn enabled the residents to enjoy having a really good Fire Department.

Chief Bresnan addressed the Council and stated that they had been a Class Two ISO Fire Department according to their scoring since 1989 and recently they changed the rating schedule and they were re-graded again this time last year and they had a score of 89.53 which was less than half a point from being a Class One and he was rather disappointed but they let them resubmit some information incorporating Safer Grant Personnel and ultimately the score was a 92.94 which put them in a Class One. Chief Bresnan further stated that only 364 Fire Departments had the Class One Rating and that was over 47,000 Fire Departments across the United States and they were one of eleven in Alabama over 1,400 departments that were evaluated under ISO. Chief Bresnan added that he wanted to thank the Mayor and City Council and the City of Homewood for allowing them to achieve that goal and it had been an effort on everyone's part to put everything in place where their score would reflect that.

Councilor Gwaltney stated that he wanted to congratulate Chief Bresnan and the Fire Department.

Councilor Thames stated that the Planning and Development Committee would not meet on September 17, 2018. Councilor Thames further stated that he had the opportunity to watch the Samford Bulldogs play in Tallahassee last weekend and it was a close game and they were playing really good football.

Councilor McClusky stated that the Public Safety Committee would meet on September 17, 2018 at 5:30 p.m.

Councilor Jones stated that the Finance Committee would meet on September 17, 2018 at 4:00 p.m. for Budget Hearings would meet at 5:00 p.m. for the regular Finance Committee Meeting. Councilor Jones further stated that he wanted to remember everyone at the memorial tomorrow and continue to be strong as a country.

Councilor Smith stated that the Special Issues Committee would meet on September 17, 2018 at 5:45 p.m. Councilor Smith further stated that the Homewood High School Patriots lost to Vestavia in a heartbreaking game and but they won against Pelham Friday night in a really good game.

Councilor Wyatt stated that Samford would be having a Heroes Day at their game on October 13, 2018 where they were inviting Fire Departments, Police Departments, EMTs, Military, and the Mayor and City Council and they would have discounted tickets so local heroes could come out and watch the game.

Councilor Andress stated that there had been two Cross Country Meets since the last meeting and Will Stone came in second overall and Lainey Phelps came in fourth overall and each race had over 360 runners. Councilor Andress further stated that last week Will Stone won overall and Celie Jackson came eight overall and Girls and Boys both place third at that meet.

Councilor McClusky stated that Will Stone was running a 5K in 15.5 minutes which was incredible.

Councilor Andress stated that they also had a new student, Crawford Hope, a sophomore from Scottboro, who transferred in and he came in third overall, and he was phenomenal and his dad, Craig Hope, was on the coaching staff. Councilor Andress further stated that Braxton McClusky had a big meet for the Middle School. Councilor Andress added that she wanted to say thank you to the Mayor because she loved being on a team and she really appreciated the people that they had worked with on the Bridge project and she knew it had been a crazy time but she loved every person who had been a part of that team and she loved meeting with them and she wanted to thank the Mayor for taking the meeting with Mayor Woodfin and Mayor Welch and once the Bridge was there she wanted everyone there cutting a ribbon and she really appreciated everyone for

supporting her and she loved the team so she wanted to say thanks to everyone for that. Councilor Andress further added that she wanted congratulate Chief Bresnan.

Councilor Wright stated that the Public Works Committee would meet on September 17, 2018 at 6:00 p.m. Councilor Wright further stated that he wanted to congratulate Councilor Andress for getting a crosswalk across Lakeshore Drive because that was a nice accomplishment and tenacity did pay off. Councilor Wright added that Samford had been a wonderful asset this football season for sponsoring Jersey Night for all the kids and they did that in large part voluntarily, working hand in hand with their Athletic Association and sponsors and it was also a treat to play their opening game at that stadium. Councilor Wright further added that it was good to hear in Committee Meeting the progress in the Bond Projects, and the Parks coming along with hopes of completion in February and the Public Safety Building was coming along, and next week they would hear in Committee the status of the School Projects, which would be helpful for everyone to understand where they were going.

President Limbaugh stated that he was reading a Wall Street Journal that was talking about U.S. College rankings where they ranked 500 of the top colleges in the country based on graduate salary, student debt, resources like instruction and student services, engagement reviews from current students and Harvard was number one, MIT was two, Yale was three, Columbia was four, and Cal Tech was five, but the highest ranked state of Alabama School was Samford University.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:24 p.m.