

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

**October 8, 2018**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, October 8, 2018 at City Hall at 6:00 p.m.

At this time, President Pro-Tempore Peter Wright asked Judge Bob Vance to address the Council.

Judge Bob Vance addressed the Council and stated that he was a candidate for re-election for District Attorney of Jefferson County, and provided information on his platform.

The invocation was given by Lt. Brian Broadhead of the Homewood Fire Department who also presented the Homewood City Council with T-Shirts honoring Breast Cancer Awareness Month, after which the Pledge of Allegiance was given.

The meeting was called to order by President Pro-Tempore Peter Wright at 6:10 p.m.

Upon Roll Call, the following were present: Britt Thames, Mike Higginbotham, Andrew Wolverton, Patrick McClusky, Walter Jones, Barry Smith, Jennifer Andress, and Peter Wright, 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: Andy Gwaltney, Alex Wyatt, and Bruce Limbaugh.

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Regular Council Meeting of September 10, 2018 and approve them as distributed. Councilor Thames seconded the motion.

President Pro-Tempore Peter 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 on a vote of 8-01-1. Councilor Higginbotham abstained.

President Pro-Tempore Peter Wright stated that the Ward 1 BZA position would be opened and would be set to close on November 5, 2018.

Councilor Andress moved to appoint Ms. Carla Dumontier. Councilor Smith seconded the motion.

President Pro-Tempore Peter 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 Pro-Tempore Peter Wright amended the published Council Agenda to add the following item to the Committee Referral Agenda: Item No. 07.10.18 – Request to add street lights to Old Oxmoor Road (from 501 to 615 Oxmoor Road) – Walter Jones – Public Safety and Finance Committees; Item No. 09.10.18 – Request to authorize the Mayor to sign a contract with Neopost for Processing System, Printing, Folding, and Mailing – Robert W. Burgett, Finance Director – Finance Committee; Item No. 10.10.18 – Request for consideration of changes to the zoning ordinance – Britt Thames – Planning and Development Committee.

President Pro-Tempore Peter Wright further amended the published Council Agenda to add the following item to the Other New Business Agenda: Item No. 08.10.18 – Request for consideration of an ABC 020 – Restaurant Retail Liquor for Margaronas Cantina LLC dba Margaronas Cantina located at 230 State Farm Parkway – Robert W. Burgett, Acting City Clerk; Item No. 11.10.18 – Request for consideration of Magic City Connector Route – Britt Thames.

Councilor McClusky moved for the approval of the Council Agenda as amended. Councilor Smith seconded the motion.

President Pro-Tempore Peter 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**

**28.08.18** Request for consideration of a modified tree and landscaping ordinance – **Britt Thames/Andy Gwaltney (Referred to Planning Commission 9/17/18)**

**Action Taken: The Special Issues Committee met on October 1, 2018 and voted 5-0 to recommend dropping the item. The motion was made by Councilor Higginbotham and seconded by Councilor McClusky.**

**20.06.17** Request to work in the public right-of-way at 410 Edgewood Blvd. – **Davis Dowdy/Greg Cobb/ Building, Engineering and Zoning Department (Tabled 8/7/17)**

**Action Taken: The Special Issues Committee met On October 1, 2018 and voted 5-0 to take this item off the table. The motion was made by Councilor McClusky and seconded by Councilor Higginbotham. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor McClusky and seconded by Councilor Gwaltney.**

**02.09.18** Request for consideration to address accessibility concerns at multiple sidewalk/bridge junctures along the Lakeshore Trail – **Andrew Wolverton (Carried over 9/17/18)**

**Action Taken: The Public Works Committee met on October 1, 2018 and voted 5-0 to recommend dropping this item. The motion was made by Councilor Wolverton and seconded by Councilor McClusky.**

**01.02.18** Request for update on phase 2 of the Shades Creek Greenway – **Jennifer Andress (Tabled 3/5/18)**

**Action Taken: The Public Works Committee met on October 1, 2018 and voted 5-0 to take this item off the table. The motion was made by Councilor Wyatt and seconded by Councilor Gwaltney. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Wyatt and seconded by Councilor Gwaltney.**

Councilor Jones moved for the approval of the Consent Agenda. Councilor McClusky seconded the motion.

President Pro-Tempore Peter Wright asked if the Council had any questions or comments regarding the motion.

Councilor Higginbotham stated that the Item concerning the Tree Ordinance was dropped in Committee because it was sent to the Planning Commission for their review.

On a voice vote, the motion carried without dissent.

### **OLD BUSINESS AGENDA**

The first item on the Agenda under Old Business was Item No. 18.08.18 – Request for consideration to contract for city-wide traffic study – Andy Gwaltney Thames (Carried over 9/10/18).

President Pro-Tempore Peter Wright stated that, without objections, this item would be carried over. There were no objections.

The next item on the Agenda under Old Business was 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 (Carried over 9/24/18).

Councilor Jones moved to drop this item. Councilor McClusky seconded the motion.

President Pro-Tempore Peter 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. 14.09.18 – Public Hearing set for October 8, 2018 at 6:00 p.m. for consideration of a variance to the sign ordinance at One West Lakeshore Drive – David Brandt/Greg Cobb, BEZ Dept. (Carried over 9/24/18).

President Pro-Tempore Peter Wright declared the Public Hearing opened.

President Pro-Tempore Peter Wright 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 this was a request for an additional sign on the building. Mr. Cobb further stated that there was more than one tenant in the building but the ordinance only allowed for one sign per building. Mr. Cobb added that the sign would fit within the size ordinance so the change would just be for the additional sign.

President Pro-Tempore Peter Wright declared the Public Hearing closed.

President Pro-Tempore Peter Wright asked if the Council had any questions or comments regarding this item.

Councilor Smith asked if the Council could see the pictures of the sign.

Mr. Cobb presented the pictures to the Council.

Mr. Brandt stated that the additional sign would be facing Lakeshore. Mr. Brandt further stated that this building had several tenants in it and this proposed sign was for one of the existing tenants already in the building and was within the guidelines in terms of size and was a non-lit sign like so many of the others but they never had a building sign for themselves so this would be the last tenant to get a sign on the building.

Councilor Smith asked to verify that they were the last tenants in the building that did not have a sign.

Mr. Brandt replied yes.

Councilor McClusky asked to verify that everyone who had a sign on the building were all approved when this property was in Jefferson County, not in Homewood.

Mr. Cobb stated that one had come before the Council after the annexation.

Mr. Brandt stated that the sign was made of aluminum letters that were painted white and did not light up at night, in keeping with the construction of other signs on the building.

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

**Resolution No. 18-148**

**(A Resolution for a sign ordinance at One West Lakeshore Drive)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 18-148. Councilor Wolverton seconded the motion.

President Pro-Tempore Peter 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 on a vote of 6-2. Councilors Thames and Higginbotham voted no.

The next item on the Agenda under Old Business was Item No. 15.09.18 – Request to set a Public Hearing for consideration of a variance to the sign ordinance at 201 Vulcan Road – Robert Norris/Greg Cobb, BEZ (Carried over 9/24/18).

President Pro-Tempore Peter Wright stated that, without objections, this item would be carried over. There were no objections.

The next item on the Agenda under Old Business was Item No. 19.09.18 – Public Hearing set for October 8, 2018 at 6:00 p.m. for consideration of declaring the property located at 307 West Glenwood Dr., PID# 29-00-13-1-020-006.000 a public nuisance due to a violation of Ordinance #1098 “Litter”, and Ordinance #1310 “Open and Unenclosed Storage” and Ordinance #1750 & #1910 “Excessive Growth” – Scott Cook, Code Enforcement, Police Dept. (Carried over 9/24/18).

President Pro-Tempore Peter Wright declared the Public Hearing opened.

President Pro-Tempore Peter 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 property was assessed in the name of Ms. Melissa Peters and notices were sent out and the property was posted but the letter came back as undelivered and then the Public Hearing was sent and another letter went out and the property was posted again but he had not received a response back. Mr. Cook further stated that the house was furnished but appeared to be vacant and he had some complaints over the last several months from the neighbors and though someone was maintaining the front yard, the back yard was totally grown up from the back of the house to the back of the property.

President Pro-Tempore Peter Wright asked if there had been any communication with any party.

Mr. Cook replied no.

Councilor Wolverton asked if the notices on the property were still there.

Mr. Cook replied yes.

Councilor Jones stated that he was the one that put this on the Agenda and the calls that he had been getting were from people who had been good neighbors within that street to go mow the front yard because it looked so bad and it had been like this for ten years.

Mr. Brian Jarmon at 305 West Glenwood Drive addressed the Council and stated that this had been an ongoing problem for the four years that he had lived there. Mr. Jarmon further stated that there had been excessive growth and he walked the fence line himself once a month and sprayed round up over the fence and killed what he could because if he didn't the wisteria would spread into his yard.

President Pro-Tempore Peter Wright asked how long he had been having to do that.

Mr. Jarmon replied that he had been doing that since the day he moved in four years ago. Mr. Jarmon stated that when he first moved in he got the owner's number from a neighbor and called her but got no response so then he clear cut about four feet of land on the fence line all the way to the back just to make a starting point. Mr. Jarmon further stated that the bug situation was pretty horrific and they used professional bug spray three of four times a summer and it lasted just a few hours and they were back because standing water was a problem and there was a submerged goldfish pond in the backyard about ten feet off the fence, which was about knee deep. Mr. Jarmon added that there was also a situation with some feral cats on the property and he had three kids including a two year old girl who petted one of the cats and it scratched her and bit one of her friends, so he called the owner and did get an immediate response that time.

Mr. Kendrick asked if the owner lived there.

Mr. Jarmon replied no and stated that she lived in Forest Park and from what one of the neighbors told him, nobody had been in the house for at least thirteen years. Mr. Jarmon further stated that one time about two years ago over one of the long weekend holidays the police were called because some kids got caught on the property smoking and vandalizing the property but it never did get serious until a tree limb in the front of the house fell because it was about 35 feet long and 10 to twelve inches wide and fell across the street so the Fire Department had to be called to remove it so the dead tree was a hazard.

President Pro-Tempore Peter Wright asked if the tree was still there.

Mr. Jarmon replied yes and stated that he and his neighbors watched squirrels take babies from the branch that fell to another limb in the tree so it was a matter of time before the whole tree fell down and it was a big oak tree.

Mr. Will Stetler at 304 West Glenwood Drive addressed the Council and stated that he lived across the street from the property and he agreed with what Mr. Jarmon stated because the house was a nuisance and kids would party in the basement and create a ruckus and feral cats were a problem but the tree was really the main hazard and the limb that fell came just a few inches from crushing his truck. Mr. Stetler further stated that it was a miracle that nobody was on the street at the time because it was in broad day light and they had tried to communicate with her to fix things up. Mr. Stetler added that their across the street neighbor, Mr. Hightower, had been doing the front yard because it looked terrible and he was doing it just as a service to the street and had been doing it for years, unpaid, but it was a real problem. Mr. Stetler further added that he and his wife had offered to buy the house from the owner to try to get it off of her hands so that they could refurbish it and sale or rent it and make it not an eyesore but she refused.

Ms. Barbara Burke at 310 West Glenwood Drive addressed the Council and stated that she had lived there since Ms. Peters bought the property and she could attest what Mr. Jarmon and Mr. Stetler reported so it would be good if they could find a solution. Ms. Burke further stated that multiple neighbors had reached out to Ms. Peters and had even offered buyers for the property.

President Pro-Tempore Peter Wright asked why she was reluctant to sell the property.

Ms. Burke replied that she had not personally reached out to her but had spoken to some of her colleagues who knew her and they tried to talk to her as well.

Mr. Stetler stated that his wife had spoken to her and had some professional interaction with her and apparently when she was living in the house she was in a relationship that ended tumultuously and now anything to do with the property brought up bad feelings so she had wanted to shun away from the property.

Mr. Cook stated that the feral cat situation came up several years ago and it was turned over to animal control and he went there when they got the complaint and he could smell a lot of cat urine around the house where they seemed to be going in and out around the crawl space. Mr. Cook further stated that the times he had been going to the property during this current situation he had not seen a cat or smelled that odor again but that was not to say that they were not there.

Mr. Jarmon stated that the cats were still there.

Mr. Cook stated that the tree was huge and was dying but was not completely dead and the ordinance addressed dead plant material that they could take care of so he was struggling on whether they could cut the tree down. Mr. Cook asked if the Council would like to bring in an arborist to determine if it was a public nuisance and was dead or dying so that they could have it cut down.

Mr. Kendrick asked if the house could be determined as unsafe.

Mr. Jarmon stated that the back door was unlocked and what Mr. Stetler said about the owner's state of mind was probably accurate because the inside of the house looked like someone just got up and went to work and never came back and was one of the creepiest things they would ever look at.

Councilor McClusky asked if there were any open windows or vegetation growing into the house.

Mr. Jarmon replied yes and stated that there were vines growing up the side and trees growing out of the gutters.

Councilor McClusky asked if there were roof issues.

Mr. Cook replied that there was a leak by the front door but there was no structural issues.

President Pro-Tempore Peter Wright asked if as part of the clean-up if they could clean up all of the property and if they could look at the house and determine if it was nuisance in regards to the structure itself and if they could get an arborist to look at the tree have Mr. Cook report back to the Council on those items.

Mr. Cook replied yes.



Mr. Jarmon stated that about twenty percent of the tree had green leaves on it but the rest of it did not and the other big limb that hung over the street was one of the limbs that did not have any green on it.

President Pro-Tempore Peter Wright 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 audience.

President Pro-Tempore Peter Wright declared the Public Hearing closed.

President Pro-Tempore Peter Wright asked if the Council had any questions or comments regarding this item. There was no response from the Council.

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

**Resolution No. 18-149**

**(A Resolution declaring the property located at 307 West Glenwood Dr., PID# 29-00-13-1-020-006.000 a public nuisance due to a violation of Ordinance #1098 "Litter", and Ordinance #1310 "Open and Unenclosed Storage" and Ordinance #1750 & #1910 "Excessive Growth")**

Councilor Jones moved for the adoption and enrollment of Resolution No. 18-149 including the tree if the arborist declared it as in need of being removed. Councilor Wolverton seconded the motion.

President Pro-Tempore Peter 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. 17.04.18 – Request to consider certain revisions to the Business License Ordinance – Melody Salter/Finance Director/City Clerk, Robert Burgett/Principal Accountant/Assistant City Clerk.

President Pro-Tempore Peter Wright stated that, without objections, this item would be referred back to the Finance Committee for further discussion. There were no objections.

The next item on the Agenda under Old Business was Item No. 30.05.18 – Request to consider revisions to Fiscal Policy – Walter Jones.

Councilor Jones stated that the Finance Committee met on October 1, 2018 and voted 5-0 to recommend the following: 1) Amend fiscal policy to treat the general fund transfer to debt service for bond payments the same as the BOE sales tax which is to

exclude that amount from the calculation in determining rations. Neither items is an expense. 2) Amend fiscal policy to include available transfers from the General Fund, sales tax fund and the Control account when performing the fiscal policy analysis.

President Pro-Tempore Peter Wright 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. 18-150**

**(A Resolution revising the Fiscal Policy)**

Councilor Jones moved for the adoption and enrollment of Resolution No. 18-150. Councilor Andress seconded the motion.

President Pro-Tempore Peter 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. 12.09.18 – Request for consideration of a no parking zone along 26<sup>th</sup> Avenue South between 18<sup>th</sup> Street and Central Avenue – Andy Gwaltney.

Councilor McClusky stated that the Public Safety Committee met on October 1, 2018 and voted 5-0 to recommend including Gran Avenue in School Zone.

President Pro-Tempore Peter Wright 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 6:41 p.m.:

**Ordinance No.**

**(An Ordinance to include Gran Avenue in School Zone)**

Councilor McClusky moved for the unanimous consent of the proposed Ordinance as read. Councilor Jones seconded the motion.

President Pro-Tempore Peter 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 Thames, Higginbotham, Wolverton, McClusky, Jones, Smith, Address, and Wright.

The motion for unanimous consent carried.

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

**Ordinance No. 2714**

**(An Ordinance to include Gran Avenue in School Zone)**

Councilor McClusky moved for the enrollment and adoption and publication according to law of Ordinance No. 2714. Councilor Jones seconded the motion.

President Pro-Tempore Peter 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 Thames, Higginbotham, Wolverton, McClusky, Jones, Smith, Address, and Wright.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 18.09.18 – Request for consideration of a no parking zone along 26<sup>th</sup> Avenue South between 18<sup>th</sup> Street and Central Avenue – Andy Gwaltney.

Councilor McClusky stated that the Public Safety Committee met on October 1, 2018 and voted 4-0 to recommend no parking on the south side of the road.

President Pro-Tempore Peter Wright 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 6:44 p.m.:

**Ordinance No.**

**(An Ordinance for no parking zone on south side of 26<sup>th</sup> Avenue South between 18<sup>th</sup> Street and Central Avenue)**

Councilor McClusky moved for the unanimous consent of the proposed Ordinance as read. Councilor Smith seconded the motion.

President Pro-Tempore Peter 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 Thames, Higginbotham, Wolverton, McClusky, Jones, Smith, Address, and Wright.

The motion for unanimous consent carried.

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

**Ordinance No. 2715**

**(An Ordinance for no parking zone on south side of 26<sup>th</sup> Avenue South between 18<sup>th</sup> Street and Central Avenue)**

Councilor McClusky moved for the enrollment and adoption and publication according to law of Ordinance No. 2715. Councilor Smith seconded the motion.

President Pro-Tempore Peter 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 Thames, Higginbotham, Wolverton, McClusky, Jones, Smith, Address, and Wright.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 16.09.18 – Request to work in the right of way at 1024 Sautler Road to install a drainage channel and/or curb to connect with the City's curb - Ken Cain, Homeowner / Wyatt Pugh, BEZ.

Councilor Smith stated that the Special Issues Committee met on October 1, 2018 and voted 5-0 to refer this item back to the full Council without recommendation because Mr. Cobb was going to speak to the construction company that was working next door to the property to see if they could come up with some grading that might help with the situation.

Mr. Cobb addressed the Council and stated that he did speak to Mr. Brian Platt who was building the house next door and there was a berm between the two properties that brought it down to the driveway to the right-of-way in question and Mr. Platt told him he was well aware of the issue and he was going to tear his driveway out and replace it and when he replaced it he would take care of that and channel the water to the street. Mr. Cobb further stated that they had a good discussion about it and it would move on later in the plans but he would replace the driveway and would resolve the issue at the same time.

Councilor Smith asked Mr. Cobb if he had spoken with Mr. Cain.

Mr. Cobb replied no and stated that Mr. Platt would be paying for everything when he took his driveway out so there was really no point in putting a valley gutter in there now because it would just get torn up.

Mr. Pugh stated that Mr. Cain, the homeowner, was in attendance.

Mr. Ken Cain at 1024 Saulter Road addressed the Council and stated that he had not had a chance to speak to Mr. Cobb but there was some bad erosion problems between the two properties and something had to be done. Mr. Cain further stated that he had lived there for about thirty years and it had gotten worse since the house building had started but the property inspector came out and said that they could not tell whether the construction was causing it but at this point he just wanted to fix it. Mr. Cain added that he did not have any idea what Mr. Platt was planning to do so he did not know how to proceed.

Councilor Smith asked if, after hearing from Mr. Cobb, since Mr. Platt was not planning on doing the driveway right away, should they carry this item over, to make sure that once the driveway was torn out and replaced and he put the channel gutter in that it eliminated the problem, and then they could drop it.

Mr. Cobb replied that he agreed and stated that he would meet with Mr. Platt and Mr. Cain on site. Mr. Cobb further stated that he felt this could be resolved easily but the best way to do it was for him to meet with both of them on site to take care of it.

President Pro-Tempore Peter Wright asked if Mr. Platt gave him any idea of when the work would be completed.

Mr. Cobb replied that the work would not be happening right now because a new driveway would be torn back up by construction equipment but he told him he had already done something to reduce the water flow over there with a retaining wall so they just needed to meet on site.

President Pro-Tempore Peter Wright stated that, without objections, this item would be carried over. There were no objections.

## COMMITTEE REFERRAL AGENDA

- 01.10.18** Request for fiscal year end budget amendments – **Robert W. Burgett, Finance Director – Finance Committee**
- 02.10.18** Request for consideration to declare items surplus (See Exhibit A) – **Gordon Jaynes, Fleet Maintenance– Finance Committee**
- 03.10.18** Request to enclose within a construction fence for the duration of a project for a sidewalk along Oxmoor and Seminole and the parallel parking spaces on Seminole at Trinity United Methodist Church’s entrance – **James Decker, Brasfield & Gorrie / Wyatt Pugh, BEZ – Special Issues Committee**
- 04.10.18** Request for consideration of painting the Shades Cahaba tunnel – **Jennifer Andress – Special Issues Committee**
- 05.10.18** Request to address Mecca storm water issue – **Britt Thames/Andy Gwaltney – Public Works Committee**
- 07.10.18** **Request to add street lights to Old Oxmoor Road (from 501 to 615 Oxmoor Road) – Walter Jones – Public Safety and Finance Committees**
- 09.10.18** Request to authorize the Mayor to sign a contract with Neopost for Processing System, Printing, Folding, and Mailing – **Robert W. Burgett, Finance Director – Finance Committee**
- 10.10.18** Request for consideration of zoning ordinance changes – **Britt Thames – Planning and Development Committee**
- 11.10.18** Request for consideration of Magic City Connector Route – **Britt Thames – Finance Committee**

Councilor Thames moved for the approval of the amended Committee Referral Agenda. Councilor McClusky seconded the motion.

President Pro-Tempore Peter Wright asked if the Council had any questions or comments regarding the motion. Councilor Thames stated that Item 10.10.18 was also being referred to the Planning Commission.

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. 06.10.18 – Request for consideration of approval of vouchers for period of September 24, 2018 through October 7, 2018 – City Treasurer/Finance Committee.

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

### **Resolution No. 18-151**

**(A Resolution for approval of vouchers for period September 24, 2018-October 7, 2018)**

Councilor Jones moved for the adoption and enrollment of Resolution No. 18-151. Councilor Smith seconded the motion.

President Pro-Tempore Peter Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item considered under Other New Business was Item No. 08.10.18 – Request for consideration of an ABC 020 – Restaurant Retail Liquor for Margaronas Cantina LLC d/b/a Margaronas Cantina located at 230 State Farm Parkway – Robert Burgett, Acting City Clerk.

Mr. Burgett stated that letters of no objection had been received from the Fire and Police Departments.

Councilor McClusky moved to having no objections to the issuance of the ABC 020 – Restaurant Retail Liquor for Margaronas Cantina LLC d/b/a Margaronas Cantina located at 230 State Farm Parkway. Councilor Higginbotham seconded the motion.

President Pro-Tempore Peter Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item considered under Other New Business was Item No. 11.10.18 – Request for consideration for Magic City Connector Route – Britt Thames.

Councilor Thames stated that this would be a route that would run 18<sup>th</sup> Street to 20<sup>th</sup> Street, which would be from Downtown Homewood to Top Golf with a stop at the Intermodal Facility and would run 7:00 a.m. to 6:00 p.m. with 15 minute headways and from 6:00 p.m. to 10:00 p.m. with 30 minute headways Monday through Fridays and on Saturdays all day with 30 minute headways. Councilor Thames further stated that this

was an option that came out in the discussions with the BJCTA and looked like a good route to try that would provide all sorts of connectivity between Downtown Homewood and Birmingham with four stops in Homewood along 18<sup>th</sup> Street. Councilor Thames added that this would also facilitate people getting to the Intermodal Facility that might have been doing that previously on the 39 route which was proposed to go away so that would help those people and in turn they could leave the Intermodal Facility and still access Wal-Mart on the new Number 3 Line. Councilor Thames further added that it was integral to the discussions that they had been having which had been very productive and all they were asking for was a motion of support and referral to the upcoming Finance Agenda for a cost to the City of \$31,200.00 for a total budget amendment which they did not have to do now since they paid quarterly, but at some point over the course of the year, the total would be \$32,927.00 above what they had already budgeted.

Councilor Thames moved to approve support and refer this item to the Finance Committee. Councilor McClusky seconded the motion.

President Pro-Tempore Peter 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 Thames stated that the Planning and Development Committee would meet on October 15, 2018 at 5:15 p.m. Councilor Thames further stated that they had been having some very productive meetings with the Transit Authority staff and tonight he would send out an email to update everyone on exactly what the proposed changes were because they might start getting calls and emails about this. Councilor Thames added that they were maintaining their most important drops and were adding Saturday service, adding access to the Highway 280 Route, and were saving the city about \$100,000.00 in the process so hopefully it would continue smooth sailing from here.

Councilor McClusky stated that the Public Safety Committee would meet on October 15, 2018 at 5:30 p.m. and the Public Works Committee would meet on October 15, 2018 at 5:45 p.m. Councilor McClusky further stated that he wanted to thank Councilor Smith, Councilor Andress, and Councilor Thames for their hard work with the BJCTA issue which the Council had been dealing with for years but the BJCTA finally seemed to have some people who were reasonable and willing to work with the Council and the work that those Council members had put into it and the benefit that it was bringing to the city at less cost was just short of a miracle so he wanted to thank them all for taking care of that.

Councilor Jones stated that the Finance Committee would meet on October 15, 2018 at 5:00 p.m. Councilor Jones further stated that he wanted it echo Councilor



McClusky's comments because he knew how difficult it was to work with the BJCTA. Councilor Jones added that Councilor Higginbotham was in his thoughts as his family had experienced a loss.

Councilor Smith stated that the Special Issues Committee would meet on October 15, 2018 at 6:00 p.m. Councilor Smith further stated that the football team was doing great and they won their Homecoming Game convincingly and then had a really hard fought game against Minor last Friday night whose coach used to be in Homewood and she saw lots of pictures with his former players from Homewood so it was a good win that they really worked hard for. Councilor Smith added that the BJCTA was having a Public Hearing tomorrow at 9:00 a.m. about the proposed route changes and she would attend.

Councilor Andress stated that for Middle School Cross Country at Oak Mountain the Boys and Girls came in first place and the Boys were currently undefeated for two years and at Jessie Owens the Middle School Boys won and Middle School Girls came in third, and for the High School Will Stone came in third overall and Lainey Phelps came in fourth or fifth but they had really strong teams and she was very proud of them. Councilor Andress further added that on September 29, 2018 they had a fundraiser for the Bridge Project and they had hundreds of people who attended along with an array of elected officials and they raised \$4,800.00 with a match coming from The Birmingham Track Club and a match coming from The Trak Shak so it would be a \$15,000.00 endeavor.

Councilor Wolverton stated that he wanted to thank Mr. Berkley Squires and the Street Department for addressing an issue that they had now dropped for the Lakeshore Trail and he had heard a lot of positive feedback from the people who frequent it so everyone appreciated the Street Department for handling the issue quickly and efficiently.

Councilor Wright stated that Councilor Higginbotham and his wife were in his thoughts and he was sorry for their loss. Councilor Wright further stated that he also wanted to thank Councilors Thames, Smith, and Andress for their successful work with the Transit Authority. Councilor Wright added that in the upcoming election was the Lid Bill item for the City of Homewood so he wanted everyone to think about it because it was a very important measure and he wanted to note that the schools were in the process of working to campaign for a favorable vote and would encourage the Council to spread the word of that proposal that would get the city out from under the controls of the State with regard to local citizens deciding tax issues.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:07 p.m.