

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

October 7, 2019

The City Council of the City of Homewood, Alabama convened in Special Session on Monday, October 7, 2019 at City Hall at 6:00 p.m.

At this time, Judge Jim Hughey, III swore in Peter Wright as the City Council President for the City of Homewood.

At this time, Mayor McBrayer presented a Proclamation declaring October as American Pharmacist Month to Ryan Oakley from the American Pharmacist Association (A PhA-ASP).

Mayor McBrayer then presented a Proclamation declaring September 30, 2019 as Family Day and September 29, 2019 through October 5, 2019 as Family Week in the City of Homewood to Kenneth Pascal from the Alabama Family Rights Association.

The invocation was given by Councilor Jones.

The meeting was called to order by President Wright at 6:14 p.m.

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

At this time Mayor McBrayer and Councilor Andress presented a check to Red Mountain Park.

The next item considered on the Agenda, taken out of order, was Item No. 14.10.19 – Request to authorize the Mayor to sign a contract with Red Mountain Park and fund their FY 19-20 budget appropriation in the City Budget – Councilor Jennifer Andress/Melody Salter, City Clerk.

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

Resolution No. 19-168

(A Resolution to authorize the Mayor to sign a contract with Red Mountain Park and fund their FY 19-20 budget appropriation in the City Budget)

Councilor Higginbotham moved for the adoption and enrollment of Resolution No. 19-168. Councilor Andress seconded the motion.

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

On a voice vote, the motion carried without dissent.

President Wright then stated that Minutes of the Council Meeting of September 23, 2019 would be carried over.

At this time President Wright addressed the Council and stated that the previous Council President, Bruce Limbaugh turned in his resignation Friday to take an early retirement so, as President Pro Tempore, he would be taking on the position of Council President.

Councilor Smith then moved to appoint Councilor Alex Wyatt as President Pro Tempore. Councilor Thames seconded the motion.

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

On a voice vote, the motion carried without dissent.

Councilor Andress moved to declare a vacancy for a Ward 5 Council position and open the application period until October 21, 2019 at 4:30 p.m... Councilor Higginbotham seconded the motion.

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

On a voice vote, the motion carried without dissent.

President Wright then moved to appoint Councilor Gwaltney to the Public Works Committee. Councilor Wyatt seconded the motion.

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

On a voice vote, the motion carried without dissent.

President Wright then moved to appoint Councilor Andress to the Finance Committee. Councilor Thames seconded the motion.

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

On a voice vote, the motion carried without dissent.

President Wright then moved to appoint Councilor Thames as the liaison to the Homewood Board of Education. Councilor Jones 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 nominations for the Board of Adjustments and Appeals would be carried over.

President Wright stated that the nominations for the HDRA/IDB would be carried over until October 21, 2019 at which time interviews would be set for the three applicants.

Councilor McClusky moved to re-appoint Tom Dehkle to the Educational Building Authority. Councilor Smith seconded the motion.

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

On a voice vote, the motion carried without dissent.

President Wright then stated that the application period the additional Educational Building Authority position would be re-opened until December 9, 2019 at 4:30 p.m.

President Wright stated that the application period for the Ward 4 and At-Large Arts Advisory Council would be opened until October 21, 2019 at 4:30 p.m.

President Wright amended the published Council Agenda to add the following items to the Committee Referral Agenda: Item No. 22.10.19 – Request for consideration to set a bid opening date for the uniform bid – Chief Bresnan/Battalion Chief Hill, Fire Department – Finance Committee; Item No. 23.10.19 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the sign ordinance at 2610 19th Street South – Meighan Ellis/Greg Cobb, BEZ – Special Issues Committee; Item No. 24.10.19 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the sign ordinance at 1280 Columbiana Road – Steve Kirkpatrick/Greg Cobb, BEZ – Special Issues Committee; and Item No. 25.10.19 – Request to authorize the Mayor to sign loan documents with Bryant Bank for Capital Vehicle purchases budgeted for FY19-20 – Robert Burgett/Finance Director – Finance Committee.

President Wright further amended the published Council Agenda to add the following items to the Other New Business Agenda: Item No. 22.10.19 – Request for consideration to set a bid opening date for the uniform bid – Chief Bresnan/Battalion Chief Hill, Fire Department; Item No. 23.10.19 – Request to set a Public Hearing for consideration of a variance to the sign ordinance at 2610 19th Street South – Meighan Ellis/Greg Cobb, BEZ; Item No. 24.10.19 – Request to set a Public Hearing for consideration of a variance to the sign ordinance at 1280 Columbiana Road – Steve Kirkpatrick/Greg Cobb, BEZ; Item No. 26.10.19 – Request to remove Bruce Limbaugh as check signer and add Peter Wright and Melody Salter as co-signers.

Councilor Wolverton moved for the approval of the Council Agenda as amended. Councilor Andress seconded the motion.

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

On a voice vote, the motion carried without dissent.

CONSENT AGENDA

20.02.18 Request for consideration of committing \$1 million from 2016 bond proceeds for sidewalks – **Bruce Limbaugh (Tabled 3/5/18)**

Action Taken: The Finance Committee met on September 30, 2019 and voted 5-0 to take this item off the table. The motion was made by Councilor Thames and seconded by Councilor Higginbotham. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Thames and seconded by Councilor Smith.

06.06.18 Request to address City Gateways – **Walter Jones^{*SI} (Tabled 02/04/19)**

Action Taken: The Finance Committee met on September 30, 2019 and voted 5-0 to take this item off the table. The motion was made by Councilor Thames and seconded by Councilor Smith. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Higginbotham and seconded by Councilor Smith.

30.01.19 Request to authorize the Mayor to sign renewal contract with insurance consultant – **Mayor McBrayer (Tabled 04/01/19)**

Action Taken: The Finance Committee met on September 30, 2019 and voted 5-0 to take this item off the table. The motion was made by Councilor Smith and seconded by Councilor Higginbotham. The Committee then voted 5-0 to recommend dropping this item. The

motion was made by Councilor Higginbotham and seconded by Councilor Smith.

- 09.04.09** Request to the Planning and Development Committee to consider establishing a Design Review Board – **(initiated by former council member Sam Scott) (Tabled at the 02/06/12 P & D meeting) (Carried over – 12/08/14) (Tabled 01/12/15)**

Action Taken: The Planning and Development Committee met on September 30, 2019 and voted 5-0 to take this item off the table. The motion was made by Councilor Wyatt and seconded by Councilor Address. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Wyatt and seconded by Councilor Address.

- 15.04.15** Request for discussion of creation of medical enterprise – **Vance Moody/Bill Hickman/Barber Company (Carried over 6/5/17)**

Action Taken: The Planning and Development Committee met on September 30, 2019 and voted 5-0 to take this item off the table. The motion was made by Councilor Wyatt and seconded by Councilor Address. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Wyatt and seconded by Councilor Address.

- 20.11.17** Request for consideration to vacate the portion of 28th/27th Alley located between 2725 18th Street South (PID 28-00-07-3-014-007.000) to the North and 272 18th Street South (PID: 28-00-07-3-014-008.000) and 2739 18th Street South (PID: 28-00-07-3-014-009.000) to the South. (See attached Legal and Map) – **Matt Akin/ Representative; Vanessa McGrath / Building, Engineering & Zoning Department (Tabled 12/4/17)**

Action Taken: The Planning and Development Committee met on September 30, 2019 and voted 5-0 to take this item off the table. The motion was made by Councilor Wyatt and seconded by Councilor Wolverton. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Wyatt and seconded by Councilor Address.

- 11.04.19** Request for update on Homewood Curve – **Britt Thames (Tabled 04/15/19)**

Action Taken: The Planning and Development Committee met on September 30, 2019 and voted 5-0 to take this item off the table. The

motion was made by Councilor Wyatt and seconded by Councilor Andress. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Wyatt and seconded by Councilor Andress.

17.07.19 Request for consideration of above ground gas storage at Ryder facility – Sarah Galloway/Councilors Andrew Wolverton and Mike Higginbotham

Action Taken: The Special Issues Committee met on September 30, 2019 and voted 5-0 to recommend dropping this item. The motion was made by Councilor Higginbotham and seconded by Councilor Gwaltney.

09.05.19 Request for consideration for city to vacate land on Pamona/Ventura – Donna Dowling/Jennifer Andress (Tabled 05/20/19)

Action Taken: The Special Issues Committee met on September 30, 2019 and voted 5-0 to take this item off the table. The motion was made by Councilor Andress and seconded by Councilor Higginbotham. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Andress and seconded by Councilor Higginbotham.

Councilor Wolverton moved for the approval of the Consent Agenda. Councilor Thames seconded the motion.

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

On a voice vote, the motion carried without dissent.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 05.09.19 – Public Hearing set for October 7, 2019 at 6:00 p.m. for consideration to amend Subsection (2) c. relating to posting of property with signs of Sec. B. entitled “Zoning Amendments” of Article IX Entitled “Administration and Review Procedures” of Appendix A entitled “Zoning” of the Code of Ordinances of the City of Homewood – City Attorney Mike Kendrick (Planning Commission gave a favorable recommendation 6-0 at their September 3, 2019 meeting).

Councilor Thames stated that the Planning and Development Committee met on September 16, 2019 and voted 5-0 to refer this item to the full Council without recommendation pending the Public Hearing. Councilor Thames further stated that this

was to amend the zoning ordinance so that every individual property would not need to be posted with yellow signs when the city initiated a large scale rezone.

President Wright declared the Public Hearing opened at 6:36 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. There was no response from the audience.

President Wright declared the Public Hearing closed at 6:36 p.m.

President 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 first reading of the proposed Ordinance for the Council's consideration at 6:37 p.m.:

Ordinance No.

(An Ordinance to amend Subsection (2) c. relating to posting of property with signs of Sec. B. entitled "Zoning Amendments" of Article IX Entitled "Administration and Review Procedures" of Appendix An entitled "Zoning" of the Code of Ordinances of the City of Homewood)

Councilor Thames 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, and Wright.

The motion for unanimous consent carried.

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

Ordinance No. 2759

(An Ordinance to amend Subsection (2) c. relating to posting of property with signs of Sec. B. entitled "Zoning Amendments" of Article IX Entitled "Administration and Review Procedures" of Appendix An entitled "Zoning" of the Code of Ordinances of the City of Homewood)

Councilor Thames moved for the enrollment and adoption and publication according to law of Ordinance No. 2759. 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, and Wright.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 24.05.19 – Public Hearing set for October 21, 2019 at 6:00 p.m. for consideration to review/amend West Homewood District Zoning – Mike Higginbotham and Andrew Wolverton – (The Planning Commission gave a favorable recommendation of 5-0 at their meeting on 9/3/19).

President Wright stated that this item would be carried over for the Public Hearing set for October 21, 2019 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 03.09.19 – Public Hearing set for October 21, 2019 at 6:00 p.m. for consideration of zoning setback changes – Councilors Andy Gwaltney and Britt Thames.

President Wright stated that this item would be carried over for the Public Hearing set for October 21, 2019 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 26.06.19 – Bid Opening held on August 26, 2019 at 4:45 p.m. for insurance agent for City of Homewood.

Councilor Jones stated that the Finance Committee met on September 30, 2019 and, after report from Councilor Wyatt on Ad Hoc Committee, voted 5-0 to recommend American Fidelity for Employee Benefits and to send another RFP for Property and Casualty and Worker's Compensation with bid opening to be set for November 18, 2019 at 4:45 p.m. with deadline for submittals set for 4:30 p.m.

President 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. 19-169

(A Resolution accepting bid with American Fidelity for Employee Benefits)

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

On a voice vote, the motion carried without dissent.

President Wright stated that the Bid Opening for Property and Casualty and Worker's Compensation would be set for November 18, 2019 at 4:45 p.m. with deadline for submittals set for 4:30 p.m.

The next item on the Agenda under Old Business was Item No. 06.08.19 – Request for consideration to discuss city per diem – Robert Burgett, Finance Director.

Councilor Jones stated that the Finance Committee met on September 30, 2019 and voted 5-0 to recommend repealing resolution and to amend the daily amounts to up to \$60.00 for in-state and out-of-state with receipts.

President 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. 19-170

(A Resolution repealing resolution and to amend the daily amounts to up to \$60.00 for in-state and out-of-state with receipts)

President Wright asked if the Council had any questions or comments regarding the motion from the Finance Committee. 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. 09.09.19 – Request for consideration of Tax Abatement options – Robins and Morton/Walter Jones.

Councilor Jones stated that the Finance Committee met on September 30, 2019 and voted 3-2 to recommend accepting the proposal to just abate Sales and Use Tax not to exceed \$115,000.00 on construction materials and equipment and only for purchases made with the City of Homewood.

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

On a roll call vote, the votes were: Yeas: Councilors Thames, Jones, and Smith. Nays: Gwaltney, Higginbotham, Wolverton, McClusky, Wyatt, Address, and Wright.

The motion failed on a vote of 3-7.

The next item on the Agenda under Old Business was Item No. 11.09.19 – Request for consideration to amend the FY 18-19 Budgets – Robert W. Burgett, Finance Director/Melody Salter, and City Clerk/Berkley Squires.

Councilor Jones stated that the Finance Committee met on September 30, 2019 and voted 5-0 to recommend approval.

President 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. 19-171

(A Resolution to amend the FY 18-19 Budgets)

President Wright asked if the Council had any questions or comments regarding the motion from the Finance Committee. 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. 24.09.19 – Request to consider transferring from General Fund Surplus an amount not to exceed \$1,000,000.00 to the Capital Projects Fund – Mayor Scott McBrayer/Robert Burgett, Finance Director.

Councilor Jones stated that the Finance Committee met on September 30, 2019 and voted 5-0 to recommend approval.

President 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. 19-172

(A Resolution transferring from General Fund Surplus an amount not to exceed \$1,000,000.00 to the Capital Projects Fund)

President Wright asked if the Council had any questions or comments regarding the motion from the Finance Committee. 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. 37.05.19 – Request for consideration of Landscape/Tree Ordinance – Planning Commission/Andy Gwaltney/Britt Thames.

Councilor Thames stated that the Planning and Development Committee met on September 30, 2019 and voted 5-0 to recommend referring to the Planning Commission.

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

On a voice vote, the motion carried without dissent.

President Wright stated that this item would be referred to the Planning Commission.

The next item on the Agenda under Old Business was Item No. 25.08.19 – Request for consideration to set a new pole for a small cellular site at 1620 Valley Avenue – Time Hawkins/Greg Cobb, BEZ.

Councilor Smith stated that the Special Issues Committee met on September 30, 2019 and voted 4-0-1 to recommend approval of metal pole with a light.

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

Councilor Andress stated that this was sitting next to an existing light pole so she wanted to bring this back up for discussion.

Councilor Thames stated that he did not think the light was necessary because it was next to a Cobra Light but he did want to make sure that they used the metal pole with the wiring encased within the pole as was shown in the Committee Meeting so he would ask that the BEZ Department enforce that.

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

Resolution No. 19-173

(A Resolution to set a new metal pole for a small cellular site at 1620 Valley Avenue without a light)

President Wright asked if the Council had any questions or comments regarding the motion from the Special Issues Committee. There was no response from the Council.

On a voice vote, the motion carried on a vote of 9-0-1. Councilor Gwaltney abstained.

The next item on the Agenda under Old Business was Item No. 13.09.19 – Request for consideration to construct a parking pad in the city right-of-way at 417 Columbiana Road – Brittany Conger/Wyatt Pugh/Greg Cobb, BEZ.

Councilor Smith stated that the Special Issues Committee met on September 30, 2019 and voted 5-0 to recommend approval.

President Wright asked if the Council had any questions or comments regarding the Special Issues 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. 19-174

(A Resolution to construct a parking pad in the city right-of-way at 417 Columbiana Road)

President Wright asked if the Council had any questions or comments regarding the motion from the Special Issues Committee. 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. 14.09.19 – Request for consideration for a large mailbox base in the city right-of-way at 514 Rumson Road – Will Smith/Wyatt Pugh/Greg Cobb, BEZ.

Councilor Smith stated that the Special Issues Committee met on September 30, 2019 and voted 5-0 to recommend approval pending indemnification agreement.

President Wright asked if the Council had any questions or comments regarding the Special Issues 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. 19-175

(A Resolution for a large mailbox base in the city right-of-way at 514 Rumson Road)

President Wright asked if the Council had any questions or comments regarding the motion from the Special Issues Committee. There was no response from the Council.

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

COMMITTEE REFERRAL AGENDA

- 01.10.19** Request for consideration of declaring the following vehicles surplus: 2001 Ford Crown Victoria (VIN – 2FAFP73W71X127030) and 2010 Ford Crown Victoria (VIN – 2FABP7BV6AX139175) – **Gordon Jaynes, Fleet Maintenance – Finance Committee**
- 02.10.19** Request for consideration of Daniel Communities update – **Councilor Britt Thames – Finance Committee**
- 03.10.19** Request for consideration for final amendments to the FY 18-19 Budgets – **Robert Burgett/Melody Salter – Finance Committee**
- 04.10.19** Request for consideration to install additional lighting on Oak Grove Rd between Hall Ave and Patriot Park – **David Walker/Mark Driskill/Councilor Andrew Wolverton – Public Safety Committee and Finance Committee**
- 05.10.19** Request for consideration to install a stop sign(s) at the intersection of Oxford Lane and Saxon Drive – **Councilor Mike Higginbotham – Public Safety Committee**
- 06.10.19** Request for consideration to vacate an alley adjacent to 400 Shades Creek Parkway – **Parker Goodman /Greg Cobb, BEZ – Special Issues Committee**
- 07.10.19** Request for permission to remove five or more trees at 741 Crest Lane – **Chris Mueller/Wyatt Pugh/Greg Cobb, BEZ – Special Issues Committee**
- 08.10.19** Request for consideration for the city to vacate land between 904 Highland Road and 909 Irving Road – **Holly Polk and Will Gardner/Wyatt Pugh/Greg Cobb, BEZ – Special Issues Committee**
- 09.10.19** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a variance to the Homewood Fence Ordinance to allow a front-yard fence at 252 Allen Avenue – **Lauren Adair/Wyatt Pugh/Greg Cobb, BEZ – Special Issues Committee**
- 10.10.19** **Request to set a Public Hearing and referral to the Special Issues Committee** for reconsideration of a variance to the Homewood Fence Ordinance to allow a front-yard fence at 1604 Roseland Drive– **Caroline Hammonds/Councilor Barry Smith – Special Issues Committee**
- 11.10.19** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration to rezone property at 105

Vulcan Road (PID #29-00-14-3-004-012.000) from a C-3 (Community Shopping District) to a MXD (Mixed Use District): Applicant: Brad Castro/Owner: JP Berham for the purpose to permit the joint use of an existing building as a church and offices for both non-profit and for-profit organizations (The Planning Commission had a unanimous vote of 6-0 for a favorable recommendation of the rezone) – **Wyatt Pugh – Planning and Development Committee**

- 12.10.19** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration of Downtown District Zoning – **Mike Kendrick, City Attorney – Planning and Development Committee**
- 22.10.19** Request for consideration to set a bid opening date for the uniform bid– **Chief Bresnan/ Battalion Chief Hill, Fire Department – Finance Committee**
- 23.10.19** Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the sign ordinance at 2610 19th Street South – **Meighan Ellis /Greg Cobb, BEZ – Special Issues Committee**
- 24.10.19** Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the sign ordinance at 1280 Columbiana Road – **Steve Kirkpatrick /Greg Cobb, BEZ – Special Issues Committee**
- 25.10.19** Request to authorize the Mayor to sign loan documents with Bryant Bank for Capital Vehicle purchases budgeted for FY19-20 – Robert Burgett/Finance Director – **Finance Committee**

Councilor Higginbotham 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. 09.10.19 – Request to set a Public Hearing for consideration of a variance to the Homewood Fence Ordinance to allow a front-yard fence at 252 Allen Avenue – Lauren Adair/Wyatt Pugh/Greg Cobb, BEZ.

Councilor Wright stated that the Public Hearing would be set for October 21, 2019 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 10.10.19 – Request to set a Public Hearing for reconsideration of a variance to the Homewood Fence Ordinance to allow a front-yard fence at 1604 Roseland Drive – Caroline Hammonds/Councilor Barry Smith.

Councilor Wright stated that the Public Hearing would be set for November 4, 2019 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 11.10.19 – Request to set a Public Hearing for consideration to rezone property at 105 Vulcan Road (PID #29-00-14-3-004-012.000) from a C-3 (Community Shopping District) to a MXD (Mixed Use District): Applicant: Brad Castro/Owner: JP Berham for the purpose to permit the joint use of an existing building as a church and offices for both non-profit and for-profit organizations (The Planning Commission had a unanimous vote of 6-0 for a favorable recommendation of the rezone) – Wyatt Pugh.

Councilor Wright stated that the Public Hearing would be set for November 4, 2019 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 12.10.19 – Request to set a Public Hearing for consideration of Downtown District Zoning – Mike Kendrick, City Attorney.

Councilor Wright stated that the Public Hearing would be set for December 9, 2019 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 13.10.19 – Request for consideration of declaring the following totaled vehicle surplus: 2015 Chevrolet Tahoe (VIN – 1GNLC2EC7FR559463) – Gordon Jaynes, Fleet Maintenance.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:57 p.m.:

Ordinance No.

(An Ordinance declaring the following totaled vehicle surplus: 2015 Chevrolet Tahoe (VIN – 1GNLC2EC7FR559463))

Councilor Higginbotham moved for the unanimous consent of the proposed Ordinance as read. Councilor Wolverton 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, and Wright.

The motion for unanimous consent carried.

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

Ordinance No. 2760

(An Ordinance declaring the following totaled vehicle surplus: 2015 Chevrolet Tahoe (VIN – 1GNLC2EC7FR559463))

Councilor Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2760. 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 roll call vote, the votes were: Yeas: Councilors Gwaltney, Thames, Higginbotham, Wolverton, McClusky, Jones, Smith, Wyatt, Andress, and Wright.

The motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 15.10.19 – Request to authorize the Mayor to sign a contract with the Homewood Chamber of Commerce and fund their FY 19-20 budget appropriation in the City Budget – Melody Salter, City Clerk.

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

Resolution No. 19-176

(A Resolution to authorize the Mayor to sign a contract with the Homewood Chamber of Commerce and fund their FY 19-20 budget appropriation in the City Budget)

Councilor Higginbotham moved for the adoption and enrollment of Resolution No. 19-176. Councilor McClusky seconded the motion.

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 16.10.19 – Request to authorize the Mayor to sign a contract with the Exceptional Foundation and fund their FY 19-20 budget appropriation in the City Budget – Tricia Kirk/Melody Salter, City Clerk.

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

Resolution No. 19-177

(A Resolution to authorize the Mayor to sign a contract with the Exceptional Foundation and fund their FY 19-20 budget appropriation in the City Budget)

Councilor Thames moved for the adoption and enrollment of Resolution No. 19-177. Councilor McClusky seconded the motion.

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 17.10.19 – Request to authorize the Mayor to sign a contract with the Birmingham Zoo and fund their FY 19-20 budget appropriation in the City Budget – Melody Salter, City Clerk.

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

Resolution No. 19-178

(A Resolution to authorize the Mayor to sign a contract with the Birmingham Zoo and fund their FY 19-20 budget appropriation in the City Budget)

Councilor Wolverton moved for the adoption and enrollment of Resolution No. 19-178. 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.

The next item on the Agenda under Other New Business was Item No. 18.10.19 – Request to authorize the Mayor to sign a contract with Operation School Bell and fund their FY 19-20 budget appropriation in the City Budget – J.J. Bischoff/Melody Salter, City Clerk.

President Wright stated that, without objections, this item would be carried over. There were no objections from the Council.

The next item on the Agenda under Other New Business was Item No. 19.10.19 – Request for consideration to set a Public Hearing to consider declaring the property located at 105 Hermosa Dr. PID# 28-00-07-4-002-006.000 a public nuisance due to a violation of Ordinance’s 1910 & 1750 “Excessive Growth” – Scott Cook, Code Enforcement, and Police Dept.

President Wright stated that the Public Hearing would be set for October 21, 2019 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 20.10.19 – Request for consideration to set a Public Hearing to consider declaring the property located at 107 Hermosa Dr., PID# 28-00-07-4-002-005.000 a public nuisance due to a violation of Ordinance’s 1910 & 1750 “Excessive Growth” – Scott Cook, Code Enforcement, and Police Dept.

President Wright stated that the Public Hearing would be set for October 21, 2019 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 21.10.19 – Request for consideration of approval of vouchers for period of September 24, 2019 through October 7, 2019 – City Treasurer/Finance Committee.

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

Resolution No. 19-179

(A Resolution for approval of vouchers for period of September 24, 2019 through October 7, 2019)

Councilor Jones moved for the adoption and enrollment of Resolution No. 19-179. Councilor Higginbotham seconded the motion.

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

On a voice vote, the motion carried without dissent.

The next item considered under Other New Business was Item No. 22.10.19 – Request for consideration to set a bid opening date for the uniform bid – Chief Bresnan/Battalion Chief Hill, Fire Dept.

President Wright stated that the Bid Opening would be set for December 2, 2019 at 4:45 p.m. with a deadline for submittals set at 4:30 p.m.

The next item considered under Other New Business was Item No. 23.10.19 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the sign ordinance at 2610 19th Street South – Meighan Ellis /Greg Cobb, BEZ.

President Wright stated that the Public Hearing would be set for October 21, 2019 at 6:00 p.m.

The next item considered under Other New Business was Item No. 24.10.19 – Request to set a Public Hearing for consideration of a variance to the sign ordinance at 1280 Columbiana Road – Steve Kirkpatrick /Greg Cobb, BEZ.

President Wright stated that the Public Hearing would be set for October 21, 2019 at 6:00 p.m.

The next item considered under Other New Business was Item No. 26.10.19 – Request to remove Bruce Limbaugh as check signer on City Bank accounts and add Peter Wright and Melody Salter – Robert Burgett/Finance Director and Melody Salter/City Clerk/Assistance Finance Director.

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

Resolution No. 19-180

(A Resolution to remove Bruce Limbaugh as check signer on Bryant Bank accounts and add Peter Wright and Melody Salter)

Councilor McClusky moved for the adoption and enrollment of Resolution No. 19-180. 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.

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

Resolution No. 19-181

(A Resolution to remove Bruce Limbaugh as check signer on Iberia Bank accounts and add Peter Wright and Melody Salter)

Councilor McClusky moved for the adoption and enrollment of Resolution No. 19-181. 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.

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

Resolution No. 19-182

(A Resolution to remove Bruce Limbaugh as check signer on Raymond James accounts and add Peter Wright and Melody Salter)

Councilor McClusky moved for the adoption and enrollment of Resolution No. 19-182. 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.

Mayor McBrayer addressed the Council and stated that he wanted to congratulate President Wright and knew he would do a great job. Mayor McBrayer further stated that he wanted to thank Bruce Limbaugh for his service. Mayor McBrayer asked for prayers for Matt Hall as his daughter was experiencing health issues.

Councilor Gwaltney stated that the Public Works Committee would not meet on October 14, 2019. Councilor Gwaltney further stated that he wanted to congratulate President Wright and President Pro-Tempore Alex Wyatt. Councilor Gwaltney added that he wanted to thank Mr. Bischoff for his help with some Rosedale concerns which he quickly took care of. Councilor Gwaltney further added that he and Councilor Thames would be hosting the Rosedale Day of Service on Saturday at 9:00 a.m., meeting at Spring Park and then going into the community to do yard work and other maintenance tasks.

Councilor Thames stated that the Planning and Development Committee would not meet on October 14, 2019. Councilor Thames further stated that he wanted to congratulate President Wright and thank Bruce Limbaugh for his service. Councilor Thames added that on Friday at 10:00 a.m. would be the Ribbon Cutting for the new Spring Park.

Councilor Higginbotham stated that he wanted to congratulate President Wright. Councilor Higginbotham further stated that he wanted to congratulate Mr. Ryan Reardon who won the Alabama Outstanding High School Science Teacher of the Year Award.

Councilor Wolverton stated that he wanted to thank Bruce Limbaugh for his service and congratulate everyone who would be taking on new roles. Councilor Wolverton further stated that he wanted to send condolences to the Richards Family who lost their mother last week. Councilor Wolverton added that he wanted to thank everyone for their support in the Hall Kent School Safety Day last week.

Councilor McClusky stated that the Public Safety Committee would meet on October 14, 2019 at 5:30 p.m. Councilor McClusky further stated that he wanted to thank President Wright as well as everyone who would be taking on new roles. Councilor McClusky added that he wanted to thank Bruce Limbaugh for his leadership and friendship. Councilor McClusky further added that he wanted to ask for prayers for Greg Cobb as he had a family member who was sick.

Councilor Jones stated that the Finance Committee would meet on October 14, 2019 at 5:00 p.m. Councilor Jones further stated that he wanted to congratulate President Wright.

Councilor Smith stated that the Special Issues Committee would meet on October 14, 2019 at 6:00 p.m. Councilor Smith further stated that she wanted to congratulate President Wright and President Pro-Tempore Wyatt.

Councilor Wyatt stated that he wanted to thank Bruce Limbaugh for his service and leadership and congratulate President Wright. Councilor Wyatt further stated that he wanted to thank the Council for trusting him to the President Pro-Tempore position.

Councilor Andress stated that she wanted to thank President Wright for his service in Ward 5 and congratulated him on his new position. Councilor Andress further stated that they had the Council Round Table Meeting in Hoover where they heard a presentation on the new Explorer Playground. Councilor Andress added that Sunday at 4:00 p.m. would be the 100 Anniversary celebration of Shades Cahaba Elementary.

President Wright stated that he wanted to thank Bruce Limbaugh for his service on Council and the School Board. President Wright further stated that he wanted to thank everyone for their support as he begins his new role as President of the Council. President Wright further added that he wanted to thank Ms. Salter, City Clerk, as they would be working together closely.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:21 p.m.