

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

October 12, 2020

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, October 12, 2020 at City Hall at 6:00 p.m.

The invocation was given by Councilor Barry Smith, after which the pledge of allegiance was given.

The meeting was called to order by President Wright at 6:25 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, John Hardin, and Peter Wright and constituting a quorum of Council members. Also present were: Mike Kendrick, City Attorney; and Melody Salter, City Clerk; J.J. Bischoff, Chief of Staff; and Mayor Scott McBrayer.

President Wright stated that the reading of the Minutes from the September 28, 2020 Council Meeting would be carried over.

President Wright stated that the application period for the Park Board At-Large position would be opened until October 19, 2020 at 4:30 p.m.

President Wright amended the published Council Agenda to add the following items to the Old Business Agenda: From the Public Safety Committee: Item No. 10.08.20 – Request to address traffic concerns on Virginia Drive concerning school safety – Councilor Jones.

President Wright further amended the published Council Agenda to add the following items to the Committee Referral Agenda: Item No. 13.10.20 – Request to add handicapped parking space on 29th Avenue at new angled spaces – Councilor Andress – Public Safety Committee; Item No. 14.10.20 – Request to add Wi-Fi access to Spring Park – Councilors Gwaltney, Andress & Thames – Public Works Committee, Item No. 15.10.20 – Request to close Valley Place on 10/31 – Joe Stephens & Councilor Smith – Public Safety Committee; Item No. 16.10.20 – Request to address ADA Accessibility concerns on Cobb Street sidewalks near Hall Kent Elementary – Councilors Wolverton – Public Works Committee; Item No. 17.10.20 – Request to close Oxford Circle on Halloween - Councilors Jones – Public Safety Committee.

Councilor McClusky 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

None.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 18.08.20 – Public Hearing held on September 14, 2020 at 6:00 p.m. to consider declaring the property located at 1125 Hardwick Lane, PID# 29-00-22-4-013-010.000 a public nuisance due to a violation of Ordinance’s 1910 & 1750 “Excessive Growth”- Scott Cook, Code Enforcement, Police Dept. (Public Hearing Closed 9/14/20 and Item Carried Over 9/14/20 and 9/28/20).

President Wright stated that this Item would be carried over.

The next item on the Agenda under Old Business was Item No. 08.09.20 – Public Hearing set for September 28, 2020 at 6:00 p.m. to consider declaring the property located at 2600 B M Montgomery Street, PID# 28-00-07-3-008-020.000 a public nuisance due to a violation of Ordinance’s 1910 & 1750 “Excessive Growth” - Scott Cook, Code Enforcement, Police Dept. (Public Hearing Closed and Item Carried Over 9/28/20).

President Wright stated that this Item would be carried over.

The next item considered under Old Business was Item No. 10.08.20 – Request to address traffic concerns on Virginia Drive concerning school safety – Councilor Jones

Councilor McClusky stated that the Public Safety Committee met earlier tonight, prior to the Council Meeting, and voted 5-0 to recommend approval of prohibiting left turns off of Palmetto Street on to Virginia Drive between the hours of 7:15 a.m. to 8:30 a.m. and 2:15 p.m. to 3:30 p.m. on Monday through Friday.

President 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 6:37 p.m.:

Ordinance No.

(An Ordinance prohibiting left turns off of Palmetto Street on to Virginia Drive between the hours of 7:15 a.m. to 8:30 a.m. and 2:15 p.m. to 3:30 p.m. on Monday through Friday)

Councilor McClusky moved for the unanimous consent of the proposed Ordinance as read. 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 roll call vote, the votes were: Yeas: Councilors Gwaltney, Thames, Higginbotham, Wolverton, McClusky, Jones, Smith, Wyatt, Andress, Hardin, and Wright.

The motion for unanimous consent carried.

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

Ordinance No. 2785

(An Ordinance prohibiting left turns off of Palmetto Street on to Virginia Drive between the hours of 7:15 a.m. to 8:30 a.m. and 2:15 p.m. to 3:30 p.m. on Monday through Friday)

Councilor McClusky moved for the enrollment and adoption and publication according to law of Ordinance No. 2785. Councilor Hardin seconded the motion.

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

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

The motion carried without dissent.

COMMITTEE REFERRAL AGENDA

- 01.10.20** Request to authorize the Mayor to sign contract with Lexipol for annual subscription to Fire Rescue 1 Policy and Training module – **Chief Hill, Battalion Chief Broadhead/ Fire Department – Finance Committee**
- 02.10.20** Request for RFP production for City Communication Services – **Councilors Andress and Smith – Finance Committee**
- 03.10.20** Request for consideration to work in right-of-way to access the rear yard at 716 Crest Lane to remove a tree - **Craig Lawrence, homeowner/Wyatt Pugh, BEZ – Special Issues Committee**
- 04.10.20** Request to appeal fine assessed for removal of tree in violation of Tree Ordinance at 307 Woodfern Street – **Bob Goodwin, Homeowner/Wyatt Pugh, BEZ – Finance and Special Issues Committee**
- 05.10.20** Request for final amendments to FY 19-20 Budgets – **Robert Burgett, Finance Director/Assistant City Clerk and Melody Salter, City Clerk/Assistant Finance Director – Finance Committee**
- 06.10.20** Request to amend FY 20-21 Budgets for any encumbrances that will need to roll forward from FY 19-20 – **Robert Burgett, Finance Director/Assistant City Clerk and Melody Salter, City Clerk/Assistant Finance Director – Finance Committee**
- 07.10.20** **Request to set a Public Hearing and refer to the Special Issues Committee** for a variance to the Fence Ordinance at 800 College Ave – **Greg Cobb, BEZ – Special Issues Committee**
- 08.10.20** **Request to set a Public Hearing and refer to the Special Issues Committee** for variances to the Sign Ordinance to permit more than one sign per tenant on face of building and to permit an increase to the allowable sign size at 3415 Independence Drive – **Dr. Corey Hartman, Skin Wellness Dermatology/Wyatt Pugh, BEZ – Special Issues Committee**
- 13.10.20** Request to add handicapped parking space on 29th Avenue at new angled spaces – **Councilor Andress – Public Safety Committee**
- 14.10.20** Request to add Wi-Fi access to Spring Park – **Councilors Gwaltney, Andress & Thames – Public Works Committee**
- 15.10.20** Request to close Valley Place on 10/31 – **Joe Stephens & Councilor Smith – Public Safety Committee**

16.10.20 Request to address ADA Accessibility concerns on Cobb Street sidewalks near Hall Kent Elementary – **Councilors Wolverton – Public Works Committee**

17.10.20 Request to close Oxford Circle on Halloween – **Councilors Jones – Public Safety Committee**

Councilor Higginbotham moved for the approval of the Committee Referral Agenda as amended. 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.

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No. 07.10.20 – Request to set a Public Hearing for a variance to the Fence Ordinance at 800 College Ave – Greg Cobb, BEZ – Special Issues Committee.

President Wright stated that the Public Hearing would be set for October 26, 2020 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 08.10.20 – Request to set a Public Hearing for variances to the Sign Ordinance to permit more than one sign per tenant on face of building and to permit an increase to the allowable sign size at 3415 Independence Drive – Dr. Corey Hartman, Skin Wellness Dermatology/Wyatt Pugh, BEZ.

President Wright stated that the Public Hearing would be set for October 26, 2020 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 09.10.20 – Request resolution fixing the costs of \$16,334.00 which it finds were reasonably incurred in the demolition of the structures at 1117 Hardwick Lane and assessing the same against the property, Parcel ID no. 29-00-22-4-013-009.000 – Wyatt Pugh, Greg Cobb, BEZ.

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

Resolution No. 20-152

(A Resolution fixing the costs of \$16,334.00 which it finds were reasonably incurred in the demolition of the structures at 1117 Hardwick Lane and assessing the same against the property, Parcel ID no. 29-00-22-4-013-009.000)

Councilor Higginbotham moved for the adoption and enrollment of Resolution No. 20-152. 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 voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 10.10.20 – Request to authorize Mayor to sign contract and pay FY 20-21 appropriation to the Birmingham Zoo – Karen Carroll, Vice President, Development - The Birmingham Zoo/Robert Burgett, Finance Director/Assistant City Clerk and Melody Salter, City Clerk/Assistant Finance Director.

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

Resolution No. 20-153

(A Resolution to authorize Mayor to sign contract and pay FY 20-21 appropriation to the Birmingham Zoo)

Councilor McClusky moved for the adoption and enrollment of Resolution No. 20-153. 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.

The next item on the Agenda under Other New Business was Item No. 11.10.20 – Request for consideration of approval of vouchers for period of September 29, 2020 through October 12, 2020 – Robert Burgett, Finance Director /Assistant City Clerk and Melody Salter, CPA, City Clerk/Assistant Finance Director.

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

Resolution No. 20-154

(A Resolution approving vouchers for period of September 29, 2020 through October 12, 2020)

Councilor Jones moved for the adoption and enrollment of Resolution No. 20-154. 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 Gwaltney stated that the Public Works Committee would meet on October 19, 2020 at 5:30 p.m.

Councilor Thames stated that the Planning and Development Committee would meet on October 19, 2020 at 6:00 p.m.

Councilor McClusky stated that the Public Safety Committee would meet on October 19, 2020 at 6:15 p.m.

Councilor Jones stated that the Finance Committee would meet on October 19, 2020 at 5:00 p.m.

Councilor Smith stated that the Special Issues Committee would meet on October 19, 2020 at 6:45 p.m.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:57 p.m.

