

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

October 9, 2017

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, October 9, 2017 at City Hall at 6:00 p.m.

The invocation was given by Father Balta of Our Lady of Sorrows Catholic Church, after which the Pledge of Allegiance was given.

The meeting was called to order by President Limbaugh at 6:02 p.m.

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

At this time, President Limbaugh stated that the Council Minutes of September 18, 2017 and September 25, 2017 would be carried over.

President Limbaugh asked if the Council had any recommendations or appointments to be made regarding board vacancies.

Councilor Smith moved to appoint Ms. Frances Allison to the Ward 4 position of the Abatement Board. The motion was seconded by Councilor Wyatt.

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

On a voice vote, the motion carried without dissent.

Councilor Higginbotham moved to appoint Ms. Amber Kustos to the At-Large position of the Homewood Environmental Commission. Councilor Andress seconded the motion.

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

On a voice vote, the motion carried without dissent.

At this time, President Limbaugh amended the published Council Agenda to add the following items to the Committee Referral Agenda: Item No. 13.10.17 – Request for consideration of a resolution to request that the Alabama Legislature take action relieving the City of Homewood from the application of the Lid Bill – Alex Wyatt – Finance Committee; Item No. 14.10.17 – Request for consideration for a directional change to a one way for Reese Street – Britt Thames – Planning and Development Committee.

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

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

On a voice vote, the motion carried without dissent.

CONSENT AGENDA

05.02.17 Request for consideration to work in city right-of-way at 1017 Oxmoor Road – **Daniel Main/Bacon Construction Co./Wyatt Pugh/Building, Engineering and Zoning Department (Tabled 4/3/17)**

Action Taken: The Special Issues Committee met October 2, 2017 and Councilor Gwaltney moved to take this item off the Table. Councilor Andress seconded the motion. The motion carried on a 4-0 vote. Councilor Gwaltney then moved to drop this item. Councilor Higginbotham seconded the motion. The motion carried on a 4-0 vote.

04.03.17 Request for consideration to work in the city right-of-way for a parking pad at 1618 Ridge Road – **Karen Sullivan/Barry Smith (Tabled 5/1/17)**

Action Taken: The Special Issues Committee met October 2, 2017 and Councilor Andress moved to take this item off the Table. Councilor Higginbotham seconded the motion. The motion carried on a 4-0 vote. Councilor Andress then moved to drop this item. Councilor Higginbotham seconded the motion. The motion carried on a 4-0 vote.

16.05.16 Request for consideration to address tree ordinance revisions – **Homewood Environmental Commission/Michael Hallman (Tabled 5/15/17)**

Action Taken: The Special Issues Committee met October 2, 2017 and Councilor Higginbotham moved to take this item off the Table. Councilor Andress seconded the motion. The motion carried on a 4-0 vote. Councilor Higginbotham then moved to drop this item.

Councilor Gwaltney seconded the motion. The motion carried on a 4-0 vote.

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

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

On a voice vote, the motion carried without dissent.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 12.05.17 – Public Hearing set for November 13, 2017 at 6:00 p.m. for consideration of Petition of Annexation for the property located at 1400 Shades Crest Road – Melba Kane/Jolene Mills/City Clerk (Carried over 9/18/17 for Public Hearing).

President Limbaugh stated that this Item would be carried over for the Public Hearing set for November 13, 2017.

The next item on the Agenda under Old Business was Item No. 19.08.17 – Request for consideration of changing the construction working hours defined in Section 5.9.1: Regulations concerning the issuance of building and construction permits – Andy Gwaltney (Carried over 9/25/17).

Councilor Thames stated that the Planning and Development Committee met and voted to change the construction hours to 7:00 a.m. to 7:00 p.m. Monday-Friday and 8:00 a.m. to 3:00 p.m. on Saturdays with special approval needed for exterior Sunday hours.

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

Mr. Kendrick stated that the summary that Councilor Gwaltney emailed him indicated that there would be no work on Sunday without permission and did not distinguish between exterior and interior.

Councilor Gwaltney replied that the ordinance read that all work outside those hours would require permission.

President Limbaugh asked Mr. Kendrick if he had an Ordinance prepared.

Mr. Kendrick replied yes.

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

Ordinance No.

(An Ordinance to change the construction hours to 7:00 a.m. to 7:00 p.m. Monday-Friday and 8:00 a.m. to 3:00 p.m. on Saturdays with special approval needed for Sunday hours)

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

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

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

The motion for unanimous consent carried.

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

Ordinance No. 2672

(An Ordinance to change the construction hours to 7:00 a.m. to 7:00 p.m. Monday-Friday and 8:00 a.m. to 3:00 p.m. on Saturdays with special approval needed for Sunday hours)

Councilor Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2672. Councilor Thames seconded the motion.

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

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

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 06.09.17 – Public Hearing set for October 9, 2017 at 6:00 p.m. to consider declaring the property located at 1801 Kensington Rd., PID# 28-00-18-2-010-008.000 a public nuisance due to a violation of Ordinance's 1910 & 1750 "Excessive Growth" – Scott Cook, Code Enforcement.

Mr. Scott Cook addressed the Council and stated that notices were sent out to the owner, Ms. Barbara Statum, and were signed for. Mr. Cook presented photographs and further stated that the front yard had been addressed but the big issue was the back yard, which had not been addressed.

President Limbaugh declared the Public Hearing opened at 6:16 p.m.

President Limbaugh asked if there was anyone in the audience who wished to speak in favor of, or in opposition to, this item.

Ms. Beth Wilson of 1803 Kensington Road addressed the Council and stated that there was an overgrowth of weeds as well as insects and rodents and there was now trash along the sidewalk and driveway. Ms. Wilson further stated that the soffit was falling in and part of the siding was down so there were more issues than just overgrowth.

President Limbaugh asked if she knew if anyone was living in the home.

Ms. Wilson replied that no one had lived there for over two years and stated it was more of a problem for her because she was the next door neighbor and she had to pay extra to get grass and weed treatment for her yard and the fence was starting to fall in and she had been told there was nothing she could do because it was not on her property. Ms. Wilson further stated that there was a large tree that was growing at an angle over her house and there was a concern that it was a hazard and she had already had one neighbor's tree fall on her house which did \$28,000.00 in damage and this tree was significantly large as well. Ms. Wilson added that as well as the public matter there were also issues that affected her more personally being the next door neighbor.

Councilor Wright asked if they knew who the owner was or family members were.

Councilor Smith stated that Mr. Cook had identified the owner and family.

Mr. Cook stated that they had signed for one of the certified letters he sent.

Councilor Smith stated that they sent some people over to do some clean up in the front yard.

Mr. Don DeMetz of 1800 Kensington Road addressed the Council and stated that he lived directly across the street from this property and he appreciated them getting the car towed away because he was concerned that it was a threat to his lively hood at his house because there was a steep hill and that car was parked there for over a year and he was always concerned that the brakes would give out and the car would roll down and hit a child or pedestrian. Mr. DeMetz further stated that he didn't know if public nuisance had a legal definition but he would think by looking at the property they could see that it was a public nuisance. Mr. DeMetz added that they did come by a month ago and did some clean up but it was somewhat cursory and had not been cleaned up since then and was a mess and would not get any better unless the family that owned the property could be encouraged to come out and do something. Mr. DeMetz further added that their neighbors next door had their house for sale for over one million dollars and nobody

wanted to spend that kind of money with a house that looked like it was on the verge of falling down next door so it had detracted from the neighborhood which was generally nice so he was in full support for having the property declared a public nuisance.

President Limbaugh 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 Council.

President Limbaugh declared the Public Hearing closed at 6:21 p.m.

President Limbaugh asked Mr. Cook for his recommendation.

Mr. Cook replied that his recommendation would be to declare the property a public nuisance but wanted the neighbors to know that all they could do was go on the property and clean up the excessive growth and take care of the litter but it would still not look like the rest of the neighborhood when they got through but it would be a big improvement and they would do a good job.

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

Councilor Smith asked Mr. Cook if they were up to date on taxes.

Mr. Cook replied yes.

Councilor Smith stated that they did get the car hauled away and asked if they expressed any other intentions.

Mr. Cook replied that he had no interactions from them other than them sending someone out to cut the front yard.

Councilor Thames asked Mr. Cook if he observed any structural damage to the house.

Mr. Cook replied that it did not appear to be open to the elements and there was a light on so there was electricity but the gutters were full of debris and there were some siding issues but structurally it was still a good, sound house though it may not look good on the inside.

President Limbaugh asked Mr. Cook if he could ascertain whether other utilities were on.

Mr. Cook stated that he could go to the street and look at the water meter to tell if it was still in place but the Water Works would not give out that information due to privacy issues.

Councilor Thames asked if the city could do anything about the tree that was mentioned.

Mr. Cook replied that he did not think so since it was an issue between two property owners.

Mr. Kendrick replied that unfortunately that was a private matter between two property owners and though he understood the concern there was nothing legally that the city could do on private property other than clean up weeds.

Councilor Wright stated that to elaborate on the process, after they cleaned it up there was a cost incurred for doing that.

Mr. Cook stated that he was correct and once they cleaned it up then they would tabulate the man hour and cost and the city would add another 50 percent to that, then they would send a bill to the owner giving them 30 days to pay, and if they did not pay he would come back to the Council to request a weed lien to be placed on the property tax.

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

Resolution No. 17-167

(A Resolution to declare the property located at 1801 Kensington Rd., PID# 28-00-18-2-010-008.000 a public nuisance due to a violation of Ordinance's 1910 & 1750 "Excessive Growth")

Councilor Smith moved for the adoption and enrollment of Resolution No. 17-167. Councilor Wyatt seconded the motion.

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

On a voice vote, the motion carried without dissent. Mr. Scott Cook said he will notify the crew tomorrow and they will work this into their schedule.

The next item on the Agenda under Old Business was Item No. 07.09.17 – Public Hearing set for October 9, 2017 at 6:00 p.m. to consider declaring the property located at 1000 Forest Brook Dr., PID# 29-00-27-4-001-002.000 a public nuisance due to a violation of Ordinance's 1910 & 1750 "Excessive Growth" – Scott Cook, Code Enforcement.

Mr. Scott Cook addressed the Council and stated this property had been vacant for over a year and his understanding was that it was for sale. Mr. Cook further stated that this was the second time both certified letters came back undeliverable and since the time that he brought it to the Council's attention the house had sold and the new owner had

taken care of the yard and was doing a remodeling job on the inside so his recommendation was to drop this issue.

President Limbaugh declared the Public Hearing opened at 6:27 p.m.

President Limbaugh 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 Council.

President Limbaugh declared the Public Hearing closed at 6:27p.m.

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

Councilor Higginbotham stated that he wanted to thank Mr. Cook for his help with this issue which had been a persistent problem for two years and as community president he had gone out there himself and cut the grass so he was hopeful that the new owner would take their responsibilities as a home owner more seriously than the previous owner.

Councilor Andress moved to drop the issues. The motion was seconded by Councilor Wolverton.

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 08.09.17 – Public Hearing set for October 9, 2017 at 6:00 p.m. to consider declaring the property located at 1602 Ridge Rd., PID# 29-00-13-4-007-023.000 a public nuisance due to a violation of Ordinance's 1910 & 1750 "Excessive Growth" – Scott Cook, Code Enforcement.

Mr. Scott Cook addressed the Council and stated that this property was owned by a Mr. James Dobbs and the taxes were being paid by Turner Farms, LLC out of Birmingham and notices were sent to both parties and both were signed. Mr. Cook further stated that this was the third time he had brought this to the Council for this property and twice before the city declared it a public nuisance. Mr. Cook added that Mr. Dobbs called him today and met with him prior to the Council Meeting and he asked him to express his concern that he would like to have until December to take care of the property but he was on a fixed income and was living back in the house now.

President Limbaugh declared the Public Hearing opened at 6:30 p.m.

President Limbaugh 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 Limbaugh declared the Public Hearing closed at 6:30 p.m.

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

Mr. Cook stated that under the circumstances, the yard had continually been a problem and neighbors had complained for years and years and he did not see how it could be done by December so he recommended to go ahead and declare it a public nuisance.

Councilor Andress asked if this was the same owner as the previous two times it had come before them.

Councilor Smith replied yes and stated that Mr. Cook, Councilor Wyatt, and herself had been dealing with this property for several years with regular complaints from neighbors all around the property. Councilor Smith further stated that the homeowner was living in the house with no electricity and no water service and they had the Health Department go out but he did not allow them on the property. Councilor Smith added that they had been working diligently to do something about this and the owner was not going to do anything by December so they needed to declare it a public nuisance and then see what else they could do to address this for the neighbors because it was a problem.

Councilor Wright asked who Turner Farms were and if they owned the property.

Mr. Cook replied no and stated that the owner was Mr. Dobbs but it appeared that he was unable to pay his property taxes at one time so an investor paid his property taxes for him and had a property tax lien on the property themselves so since they had an interest on the property he had to send them a notice as well.

Councilor Wright asked if DHR could be contacted.

Councilor Smith replied that when they started with the Health Department they thought that might be the avenue to getting DHR involved because they felt like they would have an obligation knowing that he was living there in those kind of conditions to notify DHR but when he did not allow them on the property they left and were not going back so now it might be up to them to call DHR and she was not sure how that process would work.

Mr. Cook stated that this would be a new process for him but he would start researching.

Councilor Wright stated that the adjacent property owners might want to call DHR.

President Limbaugh asked if that was the correct process.

Councilor Wright replied that they had to have a petition.

Mr. Kendrick stated that if the house was not habitable then they could order him out. Mr. Kendrick further stated that the Health Department had every right to go on the property but the reason they did not do that was because they typically didn't but it was not that they couldn't but they just elected not to. Mr. Kendrick added that until the house was declared unsafe the city had no other options other than to deal with the weed issues.

Councilor Smith stated that Mr. Pugh and Fire Marshal Hill had been out to the property and Chief Hill told Mr. Dobbs that he would not allow the Fire Department to enter the house because it was unsafe if there were to be some sort of emergency.

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

Resolution No. 17-168

(A Resolution to declare the property located at 1602 Ridge Rd., PID# 29-00-13-4-007-023.000 a public nuisance due to a violation of Ordinance's 1910 & 1750 "Excessive Growth")

Councilor Smith moved for the adoption and enrollment of Resolution No. 17-168. Councilor Wyatt seconded the motion.

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 10.09.17 – Public Hearing set for October 9, 2017 at 6:00 p.m. for consideration of a variance to the sign ordinance at 1745 Oxmoor Road – Alex Wyatt.

Councilor Smith stated that the Special Issues Committee met on October 2, 2017 and voted 5-0 to send this item back to the full Council without a recommendation pending the Public Hearing after the owner of the Pilates Studio met with concerned neighbors from Mayfair Circle and they came to an agreement about the size of the sign.

President Limbaugh declared the Public Hearing opened at 6:36 p.m.

President Limbaugh asked if there was anyone in the audience who wished to speak in favor of, or in opposition to, this item.

Ms. Tish Tillis of 4044 Dolly Ridge Road, a partner of Studio G Pilates, addressed the Council and stated that they requested a five and half foot sign based on the

fact that the property was on a slope and didn't set up very high so it couldn't be seen well from the street. Ms. Tillis further stated that they came before the Council several months ago and the property owners at Mayfair said they would agree to a four and half foot sign so they had their sign company mock up that but it depleted what they were looking for within the sign so they had him do a mock up for a five and half foot sign and placed it in the area where the sign would be built and had the Mayfair residents come over and when they stood at the exit at Mayfair they noticed they could not even see the five and half foot sign because of the bushes that were put there so they said they no longer had an issue with the sign and would not fight the variance.

Mr. Kendrick asked if she had a copy of the sign.

Ms. Smith replied that they had it in the Committee Meeting and it was a circular sign.

President Limbaugh 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 Council.

President Limbaugh declared the Public Hearing closed at 6:38 p.m.

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

Councilor Wyatt stated that he heard from the Mayfair residents and they were happy with mocked up sign and had no objection to it.

Councilor Higginbotham asked if the size variance that was being requested was because of the sloped lot and the hardship was because the sign could not be seen from the street unless it was this size.

Councilor Smith replied yes.

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

Resolution No. 17-169

(A Resolution for a variance to the sign ordinance at 1745 Oxmoor Road)

Councilor Wyatt moved for the adoption and enrollment of Resolution No. 17-169. Councilor Smith seconded the motion.

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 13.09.17 – Request for consideration for Phase 2 Greenway Project –Jennifer Andress (Referred from Public Works 9/25/17).

Councilor Smith stated that the Finance Committee met on October 2, 2017 and voted 4-0 to recommend funding from Capital Projects Greenway Line Item for \$5,500.00 80/20 grant match.

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

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

Resolution No. 17-170

(A Resolution to approve Phase 2 Greenway Project)

Councilor Smith moved for the adoption and enrollment of Resolution No. 17-170. Councilor Andress seconded the motion.

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 15.09.17 – Request for consideration of traffic/safety concerns on Kent Drive – Andrew Wolverton (Carried over 9/25/17).

Councilor Thames stated that the Public Safety Committee met on October 2, 2017 and after meeting with Ms. Vanessa McGrath about locations for crosswalks, voted 4-0 to recommend crosswalks on Cobb Street and South Pointe, Cobb Street and Southwood, Kent and Cobb Street; Allen and Grove; Kent and Montgomery and in addition, they discussed holding meetings with the school regarding resource officers and perhaps a better way to move children through the area and also recommended a traffic study and recommended adding patrols until this resolution was passed to add the crosswalks.

President Limbaugh 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:

Ordinance No.

(An Ordinance for the installation of five additional pedestrian crosswalks across Cobb Street, Kent Drive, Allen Avenue, and Kent Lane)

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

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

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

The motion for unanimous consent carried.

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

Ordinance No. 2673

(An Ordinance for the installation of five additional pedestrian crosswalks across Cobb Street, Kent Drive, Allen Avenue, and Kent Lane)

Councilor Higginbotham moved for the enrollment and adoption and publication according to law of Ordinance No. 2673. Councilor Wyatt seconded the motion.

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

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

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 18.09.17 – Request to approve expenditures of Exhibit A from HPM Management on behalf of the Board of Education from Construction Fund – Walter Jones (Carried over 9/25/17).

Councilor Smith asked for this item to be carried over pending a meeting set for Thursday with Ms. Salter, Mr. Burgett, Mr. Bischoff, and school officials.

President Limbaugh stated that, without objections, this item would be carried over.

The next item on the Agenda under Old Business was Item No. 19.09.17 – Request for consideration of an ABC – 050 – Retail Beer (Off Premises Only) and an ABC – 070 – Retail Table Wine (Off Premises Only) for M and A International Market LLC d/b/a M and A International Market located at 250 Green Springs Highway – Melody Salter, City Clerk.

Councilor Thames stated that the Public Safety Committee met on October 2, 2017 and voted 4-0 to recommend approval.

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

Councilor Thames then moved for approval of the ABC – 050 – Retail Beer (Off Premises Only) and an ABC – 070 – Retail Table Wine (Off Premises Only) for M and A International Market LLC d/b/a M and A International Market located at 250 Green Springs Highway.

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 23.09.17 – Public Hearing set for October 23, 2017 at 6:00 p.m. for consideration of a variance to the sign ordinance at 1760 Oxmoor Road – Vanessa McGrath.

President Limbaugh stated that this item would be carried over for the Public Hearing set for October 23, 2017 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 25.09.17 – Request for consideration for ADA Transition Plan – Vanessa McGrath/Building, Engineering and Zoning Department.

Councilor Thames stated that the Planning and Development Committee met on October 2, 2017 and voted 4-0 to recommend setting a Public Hearing.

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

President Limbaugh stated that, without objection, the Public Hearing would be set for November 13, 2017 at 6:00 p.m. There was no objection.

COMMITTEE REFERRAL AGENDA

- 01.10.17** Request for consideration of temporary closure of Le Jeune Way to cut-through traffic during Birmingham Water Works project – Jennifer Andress – **Public Safety Committee**
- 02.10.17** Request for consideration crosswalk at Bonita Drive and Poinciana Drive on the north side of the neighborhood – Jennifer Andress – **Public Safety Committee**
- 03.10.17** Request for consideration of lighting for the Bonita Drive, La Prado, and Ventura Avenue area – Jennifer Andress – **Public Safety Committee**
- 04.10.17** Request for consideration to authorize the Mayor to sign a three year WAN Maintenance Contract – James Yates – **Finance Committee**
- 05.10.17** Request for consideration to declare miscellaneous computers and equipment surplus – James Yates – **Finance Committee**
- 06.10.17** Request to authorize the Mayor to sign contract with BJCTA for FY 17-18 services and funding – **Melody Salter/Finance Director – Finance Committee**
- 07.10.17** Request for consideration to hear presentation re investment options on Public Fund Investment Acct from Iberia bank – **Melody Salter/Finance Director – Finance Committee**
- 08.10.17** Request to set a Public Hearing and **Referral to the Special Issues Committee** for consideration of a variance to the fence ordinance at 112 Hollywood Blvd – Christopher Allison/Wyatt Pugh/Greg Cobb/Building, Engineering and Zoning Department – **Special Issues Committee**
- 13.10.17** Request for consideration of a resolution to request that the Alabama Legislature take action relieving the City of Homewood from the application of the Lid Bill – **Finance Committee**
- 14.10.17** Request for consideration for a directional change to the one way for Reese Street – Britt Thames – **Planning and Development Committee**

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

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

On a voice vote, the motion carried without dissent.

OTHER NEW BUSINESS AGENDA

The next item on the Agenda under Other New Business was Item No. 08.10.17 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the fence ordinance at 112 Hollywood Blvd – Christopher Allison/Wyatt Pugh/Greg Cobb/Building, Engineering and Zoning Department.

President Limbaugh stated that, without objection, the Public Hearing would be set for October 23, 2017 at 6:00 p.m. There was no objection.

The next item on the Agenda under Other New Business was Item No. 09.10.17 – Request for consideration to set a Public Hearing to consider declaring the property located at 2900 16th Pl. So. , PID# 29-00-12-4-014-022.000 a public nuisance due to violation of Ordinance's 1910 & 1750 "Excessive Growth" – Scott Cook, Code Enforcement, Police Dept.

President Limbaugh stated that, without objection, the Public Hearing would be set for October 23, 2017 at 6:00 p.m. There was no objection.

The next item on the Agenda under Other New Business was Item No. 10.10.17 – Request to authorize the Mayor to sign contract with Homewood Chamber of Commerce for FY 17-18 services and funding – Melody Salter/Finance Director.

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

Resolution No. 17-171

(A Resolution authorizing the Mayor to sign contract with Homewood Chamber of Commerce)

Councilor Wyatt moved for the adoption and enrollment of Resolution No. 17-171. Councilor Thames seconded the motion.

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 11.10.17 – Request to authorize the Mayor to sign contract with JettyTrip Media for FY 17-18 website and social media services – Brian Wallace and Melody Salter/Finance Director.

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

Resolution No. 17-172

(A Resolution authorizing the Mayor to sign contract with JettyTrip Media)

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 17-172. Councilor Smith seconded the motion.

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 12.10.17 – Request for consideration of approval of vouchers for period of September 25, 2017 through October 8, 2017 – City Treasurer/Finance Committee.

Councilor Wright stated that he had reviewed the vouchers and recommended approving vouchers with the addition of "Pickin in the Park" musicians.

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

Resolution No. 17-173

(A Resolution approving vouchers for period of September 25, 2017 through October 8, 2017)

Councilor Wright then moved for the adoption and enrollment of Resolution No. 17-173. Councilor Higginbotham seconded the motion.

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

On a voice vote, the motion carried without dissent.

Mayor McBrayer welcomed President Limbaugh back.

Councilor Thames stated that the Planning and Development would meet on October 16, 2017 at 5:30 p.m. and the Public Safety Committee would meet on October 16, 2017 at 5:45 p.m.

Councilor Jones stated that the Finance Committee would meet on October 16, 2017 at 5:00 p.m.

Councilor Smith stated that the Special Issues Committee would meet on October 16, 2017 at 6:15 p.m. She also said that Homewood beat John Carroll last Friday night and is 6-0 and this Friday night will play Ramsey at Homewood at 7:00 p.m.

Councilor Andress stated that she wanted to invite everyone to Homewood Arts Council's Pickin' in the Park and Homemade Art Show on Sunday and wished Councilor Wright a Happy Birthday.

Councilor Wright stated that the Public Works Committee would meet on October 16, 2017 at 6:30 p.m. and on October 24, 2017 at 8:00 they were invited to the School Board for presentations on the HPM recommendations. He also thanked everyone for birthday wishes and welcomed back President Limbaugh.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:01 p.m.