

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

**November 19, 2018**

The City Council of the City of Homewood, Alabama convened in Special Session on Monday, November 19, 2018 at City Hall at 6:00 p.m.

At this time, Mayor McBrayer presented a Proclamation for Hospice Awareness Month.

The invocation was given by President Limbaugh, after which the pledge of allegiance was given.

The meeting was called to order by President Limbaugh at 6:05 p.m.

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

At this time, Councilor Thames moved to dispense with the reading of the Minutes of the Regular Council Meeting of November 5, 2018 and approve them as distributed. 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.

Councilor Smith opened the Ward 4 Environmental Commission position to close on January 14, 2019 at 4:30 p.m.

At this time, President Limbaugh amended the published Council Agenda to add the following items to the Consent Agenda: Item No. 15.09.18 – Request to set a Public Hearing for a variance to the sign ordinance at 201 Vulcan Road – Robert Norris/Greg Cobb, BEZ; Item No. 06.11.18 – Request to vacate alley at 1710 Ridgewood Place – Barry Smith/Will Oliver.

President Limbaugh further amended the published Council Agenda to add the following to the Old Business Agenda: From The Special Issues Committee: Item No. 07.11.18 - Request for consideration of an HEC project on the Shades Creek Greenway

Trail – Kay Simon/Greg Cobb, BEZ. From The Public Safety Committee: Item No. 01.11.18 – Request for consideration of a three-way stop sign at the intersection of Woodfern Drive and 16<sup>th</sup> Terrace – Andy Gwaltney; Item No. 22.11.18 – Request for consideration for adjustment to no parking on 26<sup>th</sup> Avenue South – Britt Thames.

President Limbaugh then amended then amended the published Council Agenda to add the following to the Committee Referral Agenda: Item No. 40.11.18 – Request to consider Huntington Road as a One-Way – Peter and Kelly Chopin/Jennifer Andress – Public Safety Committee.

President Limbaugh then amended the published Council Agenda to add the following to the Other New Business Agenda: Item No. 12.10.18 – Request to set a Public Hearing on December 3, 2018 at 6:00 p.m. for Economic Development.

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

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

On a voice vote, the motion carried without dissent.

### **CONSENT AGENDA**

**15.09.18      Request to set a Public Hearing** for a variance to the sign ordinance at 201 Vulcan Road. – **Robert Norris/Greg Cobb, BEZ (Carried Over 10/29/18)**

**Action Taken: The Special Issues Committee met and voted 4-0 to recommend dropping this item. The motion was made by Councilor Andress and seconded by Councilor Gwaltney.**

**06.11.18      Request to vacate alley at 1710 Ridgewood Place – Barry Smith/Will Oliver**

**Action Taken: The Committee met and voted 4-0 to recommend dropping this item. The motion was made by Councilor McClusky and seconded by Councilor Gwaltney.**

Councilor Smith moved for the approval of the amended Consent Agenda. 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.

### **OLD BUSINESS AGENDA**

The first item on the Agenda under Old Business was Item No. 22.10.18 – Public Hearing continued from November 5, 2018 at 6:00 p.m. for consideration of declaring the property located at 1509 Beckham Dr., PID# 29-00-12-4-009-011 public nuisance due to a violation of Ordinance #1098 “Litter”, and Ordinance #1310 “Open and Unenclosed Storage” and Ordinances #1750 & #1910 “Excessive Growth” – Scott Cook, Code Enforcement, Police Dept.

President Limbaugh continued the Public Hearing.

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

Mr. Scott Cook addressed the Council and stated that this property was owned by Ms. Stacy Lee Heckathorn and since they had posted the property and sent out the letters he had been in constant contact with the occupant who had done a lot of work.

Councilor Gwaltney asked Mr. Cook if the property had been remedied to his satisfaction.

Mr. Cook replied yes and stated that the property did meet the ordinance now.

President Limbaugh declared the Public Hearing closed at 6:18 p.m.

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

Councilor McClusky moved to drop this item. 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.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 18.10.18 – Public Hearing set for November 19, 2018 at 6:00 p.m. for consideration of condemning house at 1801 Kensington Road (PID #28-00-18-2-010 008.000) – Wyatt Pugh.

President Limbaugh declared the Public Hearing opened at 6:19 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.

Mr. Wyatt Pugh presented photographs, addressed the Council and stated that the code violations report he provided included property maintenance code violations as well as some unsafe conditions. Mr. Pugh further stated that this house suffered from a great deal of neglect as there were seedlings growing out of the gutters all around and a lot of the eaves had collapsed and water was getting in and plants were now growing into the house. Mr. Pugh added that there was a power line that was draped across the backyard low enough to walk up to it and touch it and there was power on the meter but he did not know if there was power to the house. Mr. Pugh further added that there were busted windows and a list of items that needed attention so his recommendation was that this property was unsafe to the extent that it was a public nuisance as it could house pests of all sorts, mold, and there were ways to get in the house if someone wanted to.

President Limbaugh asked to verify that the house was not secure.

Mr. Pugh replied that it was not secure and stated that there were broken windows and since it was unoccupied so there would not be anybody to stop someone from getting in.

Councilor Gwaltney asked if it appeared that anyone had been in the house like kids in the neighborhood.

Councilor Smith replied yes and stated that there had been people accessing the structure and not people who should be accessing the structure. Councilor Smith further stated that she did not know about the power line but that was even more scary because people who had been getting into the house had been coming in through the back.

Ms. Beth Wilson at 1803 Kensington Road addressed the Council and stated that she lived immediately next door to the property and the property was definitely unsafe and living next door she could hear some of what went on there and knew that the house had been broken into and at one point the Police Department had been called there. Ms. Wilson further stated that business papers and information with the owner's address was found as far away as Vestavia. Ms. Wilson added that in addition to what they knew concerning the windows, she spoke to someone from the city who was out to inspect the property and she pointed out to them that at one point there was a rod iron retaining rail that went around a patio that was raised in the backyard and someone got back there and pushed that down and it looked like someone may have pushed it down to find another way to try to access the house. Ms. Wilson further added that there was also a hole in the roof and it was not a safe situation and there was a tree that grew dangerously out from that property that was not healthy that needed to come down and the fence was falling down and there was nothing she could do to make repairs and she had spoken to five real estates agents in Homewood and they were telling her that those who were immediately adjacent to the property as well as those who were within eye shot of the property were

looking at least a ten percent reduction in the market value of their homes so they were effectively locked into their houses until something was done or they lost a lot of money.

President Limbaugh asked how long she would estimate that it had been in this condition.

Ms. Wilson replied that it had been slowly getting worse over the last couple of years that she lived there but it were maintenance issues ongoing as far as the yard for a long time but she really noticed early last summer that the house was broken into which was really concerning to her and she didn't think it was just kids in the neighborhood but if it was it was certainly unsafe for them to be back there.

Councilor Smith stated that she and Ms. Wilson had been conversing about this for a long time because and she was not the only neighbor who had reached out about the house and Mr. Cook had made every effort to reach the family who was in the metro area but they had no response from them and it was a dangerous situation in a lovely neighborhood so it was unfortunate.

President Limbaugh declared the Public Hearing closed at 6:26 p.m.

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

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

**Resolution No. 18-169**

**(A Resolution declaring the house a public nuisance at 1801 Kensington Road (PID #28-00-18-2-010 008.000))**

Councilor Smith moved for the adoption and enrollment of Resolution No. 18-169. 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. 19.10.18 – Public Hearing set for November 19, 2018 at 6:00 p.m. for consideration of condemning house at 1569 Valley View Circle (PID #29-00-12-4-007 013.000) – Wyatt Pugh.

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.

Mr. Wyatt Pugh addressed the Council and stated that the code violations report listed unsafe conditions as well as property maintenance violations and the pictures were from his inspection late last week and the bulk of the problems with the house stem from the lack of maintenance from the roof. Mr. Pugh further stated that he was contacted late last week by the owner of the property who had been in contact with him on and off and he was an elderly gentleman living away from this house with his son and he let him know that the house had been sold and that there would be a closing today so he asked him to have the new owner call him. Mr. Pugh added that the new owner did call him today left him a message that the closing did happen and he and his wife had a laundry list of improvements and were planning to gut the place and totally remodel it. Mr. Pugh further added that he called him back and left him a message that there were some immediate things he wanted him to address to make sure the property was secure and he had not heard back from yet but his last request was to extend this to give him some time to prove that he was going to do the work or drop the item.

Mr. Pugh stated that he could not say that he recommended dropping the item because he had not spoken to him directly yet to get a commitment to get the things done needed to secure the property but the house was in very questionable condition because of the roof and did not appear that anyone had been getting in the house but there was an area in the basement where there was a door that had been left opened but the inside of the house could not be accessed from that door.

Councilor Gwaltney asked if they proceeded to condemn the house was it thirty or sixty days that they had to remedy those issues before the city could act.

Mr. Kendrick replied that they had sixty days before it got here and then they would have thirty days to appeal to the circuit court. Mr. Kendrick further stated that he recommend continued the Public Hearing until the next meeting and ask the new owner to be present and acknowledge that he knows about that. Mr. Kendrick added that the transfer of ownership was a grey area where they have not given the owner of the property notice of the defects.

President Limbaugh asked what length of time would be reasonable if there was a new owner before they got a permit for the renovation for the property.

Mr. Kendrick replied that it would be appropriate to continue the Public Hearing to the December 3, 2018 Council Meeting and the owner should take some aggressive action to satisfy Mr. Pugh about his corrective action.

Mr. Pugh stated that based on the tone of the message he left me, it sounded like they had some very definite plans in mind so he thought within two weeks he should be able to have a good time line of what would happen when.

Ms. Margie Hunt at 1515 Valley View Circle addressed the Council and stated that the back door that opened to the basement did allow access to the house because the door went into the unfinished basement area where they used to have a washer and dryer. Ms. Hunt further stated that she had been in the house and looked in the house as a guest of the owner and as a possible buyer and there were so many things wrong with the house that she hoped that the people who had bought it have not really bought into a money pit because it was in very bad repair. Ms. Hunt added that if someone went in the basement door and went to the right they would go into another room and that room had access to the steps that went up to the main living area but the one room in the basement had been used as an exercise room but someone could go right up into the house. Ms. Hunt further added the house had a serious roof problem and had more than one serious roof problem over the years since it had been vacant and it had ruined a lot of the inside of the house and it was concerning to the neighbors not only because it was an eye sore, but because over a period of time, it was causing property values to go down and there was a concern that it could be accessed by someone who didn't need to be there.

Mr. Marcus Waits at 1517 Valley View Circle addressed the Council and stated that he was pleased to hear the progress relative to having a new owner take over the responsibilities of the property but before he received that news he was going to ask the Council to proceed with the condemnation of the property. Mr. Waits further stated that the issues that Ms. Hunt mentioned were visible by the neighbors and there had been a history of lack of maintenance there for several years.

Mr. Thames asked Mr. Pugh if he would make sure that when he spoke to the new owner tomorrow regardless of when he got a permit he needed to secure the door immediately.

Mr. Pugh replied that he most certainly would.

Mr. Kendrick stated that he recommended that he tell the new owner that the Public Hearing had been continued to accommodate him but if he did not attend the next meeting with a plan that was satisfactory then the city could possibly move forward with a plan that could include demolition.

President Limbaugh stated that, without objections, the Public Hearing would be continued. There were no objections.

The next item on the Agenda under Old Business was Item No. 20.10.18 – Public Hearing set for November 19, 2018 at 6:00 p.m. for consideration of condemning house at 1627 Saulter Road (PID #28-00-18-3-001-021.000) – Wyatt Pugh.

President Limbaugh declared the Public Hearing opened at 6:38 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.

Mr. Wyatt Pugh addressed the Council and stated that the code violations report included unsafe conditions that almost exclusively pertained to a carport addition which was just collapsing all over the place. Mr. Pugh further stated that there was a wooden girder along the front which supported the whole structure which was severely stressed and rotten and he was not able to get a clear picture of just how rotten it was but down at the bottom right there was a portion of it on the side that was rotten. Mr. Pugh added that there was lots of abandoned rubbish and garbage in an abandoned vehicle. Mr. Pugh further added that if the owner could take care of this carport and demolish it that would take care of the dangerous situation and he knew that the owner had reached out to both Councilor Smith and himself about some extenuating circumstances.

Councilor Smith stated that the owner had reached out to her and he was in a very similar situation to what she was recently experienced with her own mom, he was caring for his elderly mother who was the owner of the house and she was at his home with him at Huntsville although she had been in the hospital for the last forty days and he had made an effort and came down less than a month ago and removed one of the cars that was in the drive way and removed a refrigerator that was there and did maintenance on the yard as well as removing trash that was in the front of the house. Councilor Smith further stated that there was still a lot to be done and he knew that but he had asked for their consideration for his circumstances and allow him to after the beginning of the year. Councilor Smith added that she spoke to him today and told him that because he felt like this was probably the last time he was going to have with his mom at the holidays that the Council was willing to grant that but they would be getting together with Mr. Pugh and Mr. Cook to get a list of items that would have to be addressed as soon as possible at the beginning of the year and he knew what that list was and that it was predominately centered around the carport and the rubbish. Councilor Smith further added that she did hear from a neighbor who was extremely excited that the truck had been removed and the owner had been in communication with them and she really felt that he was going to get this taken care of because it was in best interest to sell the property at some point and he could not sell it like it was.



Mr. Pugh stated that if it was in the Council's wishes to give him a little extra time and let them put together a list that would be fine but he would like to ask him that if possible to go ahead and put up some sort of barrier around this.

Councilor McClusky asked if anyone knew how long the owner had been dealing with his mother and her issues.

Councilor Smith replied that she was in the house alone up until this time last year.

Councilor McClusky stated that his point was that this house had looked this way for many years.

Councilor Smith stated that he had a sister and a brother but they were not helping him with the care of the mother so he was doing that on his own in Huntsville.

President Limbaugh stated that, without objections, the Public Hearing would be continued. There were no objections.

The next item on the Agenda under Old Business was Item No. 21.10.18 – Public Hearing set for November 19, 2018 at 6:00 p.m. for consideration of condemning house at 2827 16<sup>th</sup> Place South (PID #29-00-12-4-014-019.000) – Wyatt Pugh.

President Limbaugh declared the Public Hearing opened at 6:45 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.

Mr. Wyatt Pugh addressed the Council and stated that there were multiple unsafe issues with this house including that the smell of mold was overwhelming and there was a hole in the center of the roof that had been dumping water in and there was plants growing in and rubbish and garbage piled in every conceivable corner of the place and it was dangerous to even walk up as close as he did so for a multitude of reasons he would recommend that this place be declared a nuisance.

President Limbaugh declared the Public Hearing closed at 6:46 p.m.

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

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

**Resolution No. 18-170**

**(A Resolution to declare a public nuisance the house at 2827 16<sup>th</sup> Place South (PID #29-00-12-4-014-019.000)**

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 18-170. 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 Old Business was Item No. 08.11.18 – Public Hearing set for November 19, 2018 at 6:00 p.m. for consideration of a variance to the fence ordinance at 417 Crest Drive – John Henderson – Greg Cobb/BEZ.

President Limbaugh declared the Public Hearing opened at 6:47 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.

Mr. Greg Cobb addressed the Council and stated that this was on a corner lot and there was a row of hedges as well.

Mr. Henderson addressed the Council and stated that he had been looking at his backyard and had two fences that needed to be replaced and he would like to continue that along the Saulter Lane side of his property but the ordinance stated that he could only go ten feet out from the side of his house but with a variance he could go 15 more feet over to the property line. Mr. Henderson further stated that right around where the bushes were was where he would like to put his fence up and it would be no closer than the property line.

President Limbaugh stated that it was hard to approve something without being able to see it and asked if they continued it to the next meeting if he could bring the Council some drawings that they could show the public.

President Limbaugh stated that, without objections, the Public Hearing would be continued. There were no objections.

The next item on the Agenda under Old Business was Item No. 09.11.18 – Public Hearing set for November 19, 2018 at 6:00 p.m. for consideration of a variance to the sign ordinance for Little Professor Book Center at 2844 18<sup>th</sup> Street South – Stephanie Kruse, Little Professor/Wyatt Pugh/BEZ.

President Limbaugh declared the Public Hearing opened at 6:49 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 6:50 pm.

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

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 10.10.18 – Public Hearing set for December 3, 2018 at 6:00 p.m. for consideration of zoning ordinance changes – Britt Thames.

President Limbaugh stated that this item would be carried over for the Public Hearing set for December 3, 2018 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 10.11.18 – Bid Opening set for December 6, 2018 at 4:00 p.m. for Police Tactical Van – Chief Tim Ross/ Captain Ben Sutton.

President Limbaugh stated that this item would be carried over for the Public Hearing set for December 6, 2018 at 4:00 p.m.

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

President Limbaugh stated that, without objections, this item would be carried over. There were no objections.

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

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

**Resolution No. 18-171**

**(A Resolution to renew AT&T U-Verse contract)**

Councilor Andress moved for the adoption and enrollment of Resolution No. 18-171. 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 on a vote of 6-0-1. Councilor Gwaltney abstained.

The next item considered under Old Business was Item No. 07.11.18 – Request for consideration of an HEC project on the Shades Creek Greenway Trail – Kay Simon/Greg Cobb, BEZ.

Councilor Smith stated that the Special Issues Committee met on November 19, 2018 and voted 4-0, after hearing from Amy Milam of the HEC, to recommend approval of signage.

President Limbaugh 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. 18-172**

**(A Resolution to approve an HEC project on the Shades Creek Greenway Trail)**

Councilor Smith then moved for the adoption and enrollment of Resolution No. 18-172.

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

On a voice vote, the motion carried without dissent.

The next item considered under Old Business was Item No. 01.11.18 – Request for consideration of a stop sign at the intersection of Woodfern Drive and 16<sup>th</sup> Terrace – Andy Gwaltney.

Councilor McClusky stated that the Public Safety Committee met on November 19, 2018 and voted 4-0 to recommend approval of a three-way stop.

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 at 6:55 p.m.:

**Ordinance No.**

**(An Ordinance to add a three-way stop at the intersection of Woodfern Drive and 16<sup>th</sup> Terrace)**

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

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

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

The motion for unanimous consent carried.

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

**Ordinance No. 2721**

**(An Ordinance to add a three-way stop at the intersection of Woodfern Drive and 16<sup>th</sup> Terrace)**

Councilor McClusky moved for the enrollment and adoption and publication according to law of Ordinance No. 2721. Councilor Gwaltney seconded the motion.

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

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

The motion carried without dissent.

The next item considered under Old Business was Item No. 22.11.18 – Request for consideration for adjustment to no parking on 26<sup>th</sup> Avenue South – Britt Thames.

Councilor McClusky stated that the Public Safety Committee met on November 19, 2018 and voted 4-0 to recommend adjusting the no parking on 26<sup>th</sup> Avenue South and the specifics would be coming from Mr. Hambley in the Traffic Maintenance Department.

President Limbaugh stated that, without objections, this item would be carried over. There were no objections.

## COMMITTEE REFERRAL AGENDA

- 24.11.18** Request to declare the following truck surplus: 2008 International 4400 Garbage Truck (Sanitation #66) VIN 1HTMKAZR08H546008 – Date of purchase 6/12/17 – 147,500 miles – **Gordon Jaynes, Fleet Maintenance Superintendent – Finance Committee**
- 25.11.18** Request to declare the following surplus: 2007 Suzuki DR400 SM VIN JS1SK44A872101700 – **Captain Ben Sutton/Police Dept. – Finance Committee**
- 26.11.18** **Request for consideration for making Reese Street one way from Central Ave to Crescent –Barry Smith/Public Safety**
- 27.11.18** Request for consideration for budget amendments for FYE 9/30/18 – **Robert W. Burgett, Finance Director – Finance Committee**
- 28.11.18** Request for consideration to arrange several concrete parking stops end to end through city Right-of-Way to direct runoff from neighboring property to storm drain after homeowner at 1024 Saulter Road rejected neighbor's offer to incorporate a flume detail into their new driveway – **Ken Cain/Wyatt Pugh, BEZ – Public Works Committee**
- 29.11.18** Request for reconsideration of removing a tree for homeowner in city Right-of-Way at 131 East Hawthorne Road because of setback requirements for proposed detached garage – **Scott Jenkins, homeowner/Wyatt Pugh, BEZ – Public Works Committee**
- 30.11.18** Request to address the City Council concerning the existing covenants for Wildwood North – **Mike Moseley/Greg Cobb, BEZ – Special Issues Committee**
- 31.11.18** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a variance to the sign ordinance at 1808 29<sup>th</sup> Avenue South – **Tom Coger/Greg Cobb, BEZ – Special Issues Committee**
- 32.11.18** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a variance to the fence ordinance at 1136 Hardwick Lane – **Lauren Vanderbijl/Greg Cobb, BEZ – Special Issues Committee**
- 33.11.18** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a variance to the fence ordinance at 327

Kenilworth Drive – **Kellie Handley/Greg Cobb, BEZ – Special Issues Committee**

- 39.11.18** Request for consideration for the Mayor sign a loan with Bryant Bank for the Library expansion – **Robert Burgett, Finance Director – Finance Committee**
- 40.11.18** Request to consider Huntington Road as a One-Way – Peter and Kelly Chopin/Jennifer Andress – **Public Safety Committee**

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

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

On a voice vote, the motion carried without dissent.

**OTHER NEW BUSINESS AGENDA**

The next item considered under Other New Business was Item No. 31.11.18 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the sign ordinance at 1808 29<sup>th</sup> Avenue South – Tom Coger/ Greg Cobb, BEZ.

President Limbaugh stated that, without objections, the Public Hearing would be set for December 3, 2018 at 6:00 p.m. There were no objections.

The next item considered under Other New Business was Item No. 32.11.18 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the fence ordinance at 1136 Hardwick Lane – Lauren Vanderbijl/Greg Cobb, BEZ.

President Limbaugh stated that, without objections, the Public Hearing would be set for December 3, 2018 at 6:00 p.m. There were no objections.

The next item considered under Other New Business was Item No. 33.11.18 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the fence ordinance at 327 Kenilworth Drive – Kellie Handley/Greg Cobb, BEZ.

President Limbaugh stated that, without objections, the Public Hearing would be set for December 3, 2018 at 6:00 p.m. There were no objections.

The next item considered under Other New Business was Item No. 34.11.18 – Request for consideration of an ABC 020 – Restaurant Retail Liquor for Gianmarco Pizza LLC d/b/a Pizzeria GM located at 600 Oak Grove Road – Robert Burgett, Acting City Clerk.

Councilor McClusky moved to have no objections to the issuance of the ABC 020 – Restaurant Retail Liquor License. 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. 35.11.18 – Request for consideration of an ABC 020 – Restaurant Retail Liquor license for Saws Bar Homewood LLC d/b/a Saws located at 1006 Oxmoor Road – Robert Burgett, Acting City Clerk.

Councilor Thames moved to have no objections to the issuance of the ABC 020 – Restaurant Retail Liquor License. Councilor McClusky seconded the motion.

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 36.11.18 – Request for consideration of an ABC 040 – Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) licenses for SK88 LLC d/b/a The Seafood King located at 180 State Farm Parkway – Robert Burgett, Acting City Clerk.

Councilor McClusky moved to have no objections to the issuance of the ABC 040 – Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) licenses. 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. 37.11.18 – Request for consideration of approval of vouchers for period of November 5, 2018 through November 18, 2018 – City Treasurer/Finance Committee.



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

**Resolution No. 18-173**

**(A Resolution for approval of vouchers for period November 5, 2018-November 18, 2018)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 18-173. 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 Other New Business was Item No. 38.11.18 – Request for consideration to authorize the Mayor to sign engagement letter with Barfield, Murphy, Shank & Smith, LLC for auditing services for the FYE 2018 – Robert W. Burgett, Finance Director.

Councilor Thames moved for approval. Councilor McClusky seconded the motion.

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

On a voice vote, the motion carried without dissent.

The next item considered under Other New Business was Item No. 12.10.18 - Request for consideration of potential Economic Development Projects – Walter Jones.

Councilor Jones moved to set a Public Hearing for December 3, 2018 at 6:00 p.m. Councilor Smith seconded the motion.

President Limbaugh asked if the Council 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 shared a thank letter from The Laura Crandall Brown Ovarian Cancer Foundation/The State of Teal to the City of Homewood for helping to raise awareness. Mayor McBrayer then shared a thank you letter from the Homewood Library for their support of funding for Library Building Expansion. Mayor McBrayer then shared an invitation to Seafood King's Ribbon Cutting and Grand Opening on November 28, 2018 at 11:00 a.m.

Mayor McBrayer stated that they had been blessed in the City of Homewood and they had a lot to be thankful for so he wanted to extend best wishes and Happy Thanksgiving. Mayor McBrayer further stated that if anyone was going out of town the city provided the service that residents could call the Police Department and ask their home to place on patrol.

Councilor Gwaltney stated that he wanted to wish everyone a Happy Thanksgiving and thank everyone for their service.

Councilor Thames stated that the Planning and Development Committee would not need to meet on November 26, 2018. Councilor Thames further stated that everyone should have received an email about meetings with the consultants regarding the zoning update for downtown on Wednesday, November 28, 2018 at 11:00 a.m. in the Committee Chambers and asked everyone to try to attend.

Councilor Wolverton stated that he wanted to remind everyone that the Police Department offered extra patrols if residents call and let them know they were going to be out of town. Councilor Wolverton further stated that Ward 2 Quarterly Meeting would be on November 29, 2018 at 6:00 p.m. at Raleigh Avenue Baptist Church. Councilor Wolverton added that the Homewood High School Band would be playing in the Macy's Parade but it would be only 27 degrees there so please pray for them.

Councilor McClusky stated that the Public Safety Committee would meet on November 26, 2018 at 5:00 p.m.

Councilor Smith stated that the Finance Committee would meet on November 26, 2018 at 6:15 p.m. and the Special Issues Committee would meet on November 26, 2018 at 5:45 p.m. Councilor Smith further stated that the Homewood Patriot Football Team was in the third round of the playoffs for the first time in thirteen years this Friday night and would play Pinson Valley at Waldrop Stadium and the band would not be there since they would be in New York so an Alumni Band was organized along with the Middle School Band.

Councilor Andress stated that the Boys Cross Country Team won back to back State Championships and the Girls were also State Champions so this set the record for consecutive State Championships. Councilor Andress further stated that she and Mr. Cobb met with the BJCTA to talk about the Magic City Connector and that had been approved and would take a couple of months to get that funding lined up through the Regional Planning Commission. Councilor Andress added that she wanted to thank the Beautification Board for the work they did on the Christmas Tree and thanked the Council for approving the tree and she also wanted to thank Mr. Randy Hambley and Mr. Berkley Squires for their help in decorating the tree.

President Limbaugh stated that Public Works Committee would meet on November 26, 2018 at 6:00 p.m. President Limbaugh further stated that he wanted to wish each of the Council members a Happy Thanksgiving.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:16 p.m.