

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

December 14, 2020

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, December 14, 2020 at City Hall at 6:00 p.m.

At this time, Mayor McClusky addressed the Council and presented a Proclamation to Dr. Julie Price for Tree City, USA.

The invocation was given by Father Muller from Our Lady of Sorrows Catholic Church, after which the pledge of allegiance was given.

The meeting was called to order by President Wyatt at 6:07 p.m.

Upon Roll Call, the following were present: Andy Gwaltney, Melanie Geer, Carlos Alemán, Andrew Wolverton (via Zoom), Nick Sims, Walter Jones, Barry Smith, Jalete Nelms, Jennifer Andress, John Hardin, and Alex Wyatt 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 Patrick McClusky.

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Council Meeting of November 30, 2020 and approve them as presented. Councilor Andress seconded the motion.

President Wyatt 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 Wyatt stated that the At-Large position of the Homewood Environmental Commission would be opened until January 11, 2021 at 4:30 p.m. and the Ward 1 position of the Arts Advisory would be reopened until January 11, 2021 at 4:30 p.m.

President Wyatt amended the published Council Agenda to add the following items to the Other New Business Agenda: Item No. 09.12.20 – Request to approve Restaurant Retail Liquor License (Wine/beer/Liquor) to Valor Beverage Mgt, LLC d/b/a Valley Hotel at 2727 18th Street S pending approval of Fire and Police – Melody Salter, CPA, City Clerk/Assistant Finance Director.

Councilor Hardin moved for the approval of the Council Agenda as amended. Councilor Jones seconded the motion.

President Wyatt 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

03.11.20 Request for consideration of Hazard Pay for First Responders – **Councilor Wolverton/Chief Nick Hill/Chief Tim Ross**

Action Taken: The Finance Committee met on December 7, 2020 and voted 5-0 to recommend dropping this item. The motion was made by Councilor Smith and seconded by Councilor Alemán.

17.09.18 Request for consideration of guidelines for a shared mobility ordinance. – **Andy Gwaltney**

Action Taken: The Public Safety Committee met on December 7, 2020 and voted 5-0 to take this item off the Table. The motion was made by Councilor Hardin and seconded by Councilor Nelms. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Jones and seconded by Councilor Wolverton.

03.11.18 Request for consideration to address traffic concerns on Mecca Avenue – **Andy Gwaltney/Britt Thames**

Action Taken: The Public Safety Committee met on December 7, 2020 and voted 5-0 to take this item off the Table. The motion was made by Councilor Hardin and seconded by Councilor Nelms. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Jones and seconded by Councilor Wolverton.

16.08.18 Request for consideration for closing off roadway at the westbound end of Little Oxmoor Road at the intersection of Oxmoor Blvd – **Andrew Wolverton**

Action Taken: The Public Safety Committee met on December 7, 2020 and voted 5-0 to take this item off the Table. The motion was made by Councilor Jones and seconded by Councilor Hardin. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Jones and seconded by Councilor Wolverton.

10.03.20 Request for consideration of crosswalk improvements at Oxmoor and Peerless Ave/Virginia Dr. – **Councilors Gwaltney and Thames**

Action Taken: The Public Safety Committee met on December 7, 2020 and voted 5-0 to take this item off the Table. The motion was made by Councilor Jones and seconded by Councilor Hardin. The Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Jones and seconded by Councilor Hardin.

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

President Wyatt 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. 08.11.20 – Public Hearing set for January 11, 2021 at 6:00 p.m. for consideration of changes to the Zoning Ordinance – Mike Kendrick, City Attorney/President Wyatt/Committee Chair Councilor Andress.

President Wyatt stated that this item would be carried over for the Public Hearing set for January 11, 2021 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 13.11.20 – Public Hearing set for January 11, 2021 at 6:00 p.m. for consideration to rezone property at 2510 18th Street South (PID 28-00-07-2-008-001.000) from a C-2 (Neighborhood Shopping District) to R-7 (Attached Dwelling Unit District): Applicant/Owner: Gold Nugget, LLC to permit the construction of an 8 Unit Townhouse Development (The Planning Commission had a vote of 8-0 for a favorable recommendation of the rezone) – Wyatt Pugh.

President Wyatt stated that this item would be carried over for the Public Hearing set for January 11, 2021 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 14.11.20 – Public Hearing set for January 11, 2021 at 6:00 p.m. for consideration to rezone property at 75 Bagby Drive (PID 29-00-14-2-004-006.000) from a C-1 (Office Building District) to MXD (Mixed Use District): Applicant: Melinda Sellers/Burr Forman, LLP/Owner: Addison Investments, LLC for use as a Charter School/Institutional Facility (The Planning Commission had a vote of 7-0 for a favorable recommendation of the rezone) – Wyatt Pugh.

President Wyatt stated that this item would be carried over for the Public Hearing set for January 11, 2021 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 15.11.20 – Public Hearing set for January 11, 2021 at 6:00 p.m. for consideration to rezone property at 55 and 65 Bagby Drive (PID 29-00-14-2-004-004.000; 29-00-14-2-004-005.000, 29-00-15-1-005-001.000) from a C-5 (General Business District) to MXD (Mixed Use District): Applicant: Melinda Sellers/Burr Forman, LLP/Owner: 5565 Bagby Associates, LLC for use as a potential college (The Planning Commission had a vote of 7-0 for a favorable recommendation of the rezone) – Wyatt Pugh.

President Wyatt stated that this item would be carried over for the Public Hearing set for January 11, 2021 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 24.08.20 – Request to make changes to the City’s Resolution regarding the city contributions to retiree insurance and add a monthly stipend for both single and family retiree insurance in order to help City keep their Preferred Rate – Mayor Scott McBrayer.

Councilor Jones stated that the Finance Committee met on December 7, 2020 and voted 4-0 to recommend approval.

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

Resolution No. 20-180

(A Resolution changing to the City’s Resolution regarding the city contributions to retiree insurance and add a monthly stipend for both single and family retiree insurance in order to help City keep their Preferred Rate)

President Wyatt 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. 02.10.20 – Bid opening held on November 30, 2020 at 5:00 p.m. for City Communication Services – Councilors Andress and Smith.

Councilor Jones stated that the Finance Committee met on December 7, 2020 and voted 5-0 to send back to the full Council with a new Bid Opening date of January 4, 2021 at 5:00 p.m.

President Wyatt 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. 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.

Councilor Jones stated that the Finance Committee met on December 7, 2020 and voted 5-0 to recommend approval.

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

Resolution No. 20-181

(A Resolution to amend FY 20-21 Budgets for any encumbrances that will need to roll forward from FY 19-20)

President Wyatt 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. 20.10.20 – Request to authorize the Mayor to sign agreement with Kimley-Horn for engineering services – Clark Bailey and Wyatt Pugh.

Councilor Jones stated that the Finance Committee met on December 7, 2020 and voted 5-0 to recommend approval.

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

Resolution No. 20-182

(A Resolution to authorize the Mayor to sign agreement with Kimley-Horn for engineering services)

President Wyatt 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. 22.10.20 – Request to reconsider capital purchase for police body cameras and possibly amend the FY 20-21 Capital Projects Budget for same – Chief Ross/Robert Burgett/ Melody Salter.

Councilor Jones stated that the Finance Committee met on December 7, 2020 and voted 5-0 to recommend approval.

President Wyatt 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. 09.11.20 – Request to authorize the Mayor to sign an agreement with Crown Castle for tower space to connect a radio system microwave link to the 911 center. – Chief Hill, Battalion Chief Broadhead/ Fire Department-E-911.

Councilor Jones stated that the Finance Committee met on December 7, 2020 and voted 5-0 to recommend approval.

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

Resolution No. 20-183

(A Resolution to authorize the Mayor to sign an agreement with Crown Castle for tower space to connect a radio system microwave link to the 911 center)

President Wyatt 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 on a vote of 10-0-1. Councilor Gwaltney abstained.

The next item on the Agenda under Old Business was Item No. 12.11.20 – Request to authorize Mayor to sign contract with Sprint for 10M MPLS Sales Amendment – James Yates/IT Director.

Councilor Jones stated that the Finance Committee met on December 7, 2020 and voted 5-0 to recommend approval.

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

Resolution No. 20-184

(A Resolution to authorize Mayor to sign contract with Sprint for 10M MPLS Sales Amendment)

President Wyatt 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. 16.09.20 – Request for consideration of a crosswalk over Broadway from alley way to Shades Road for school traffic – Councilors Walter Jones and Patrick McClusky.

Councilor Gwaltney stated that the Public Safety Committee met on December 7, 2020 and voted 5-0 to recommend approval.

President Wyatt asked if the Council had any questions or comments regarding the recommendation from the Public Safety Committee. 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 6:21 p.m.:

Ordinance No.

(An Ordinance for a crosswalk over Broadway from alley way to Shades Road for school traffic)

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

President Wyatt 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, Geer, Alemán, Wolverton, Sims, Jones, Smith, Nelms, Andress, Hardin, and Wyatt.

The motion for unanimous consent carried.

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

Ordinance No. 2789

(An Ordinance for a crosswalk over Broadway from alley way to Shades Road for school traffic)

Councilor Jones moved for the enrollment and adoption and publication according to law of Ordinance No. 2789. Councilor Smith seconded the motion.

President Wyatt 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, Geer, Alemán, Wolverton, Sims, Jones, Smith, Nelms, Andress, Hardin, and Wyatt.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 10.11.20 – Request to work in public right-of-way adjacent to 521 Cliff Place – Lauren and Patrick McDavid, homeowners/Stephen Boehme, Phoenix Builders Group /Greg Cobb, BEZ.

Councilor Smith stated that the Special Issues Committee met on December 7, 2020 and voted 5-0 to recommend approval.

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

Resolution No. 20-185

(A Resolution to authorize work in public right-of-way adjacent to 521 Cliff Place)

President Wyatt 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. 16.01.15 – Update on past, present and future Sidewalk Projects – Greg Cobb/Building, Engineering and Zoning Department.

Councilor Andress stated that the Planning and Development Committee met on December 7, 2020 and voted to recommend referring to the Finance Committee for approval of sidewalks on Saulter Road from Rockaway to South Wellington and also carried over in the Planning and Development Committee for further action.

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

President Wyatt stated that this item would be referred to the Finance Committee.

COMMITTEE REFERRAL AGENDA

- 01.12.20** Request for consideration to amend FY 19-20 and FY 20-21 Budgets – Melody Salter, City Clerk/Robert Burgett, Finance Director – **Finance Committee**
- 02.12.20** Request for a variance to install a front-yard fence along the creek and request permission to work in ROW to continue the fence along the top of the concrete guard adjacent to the street at 328 Kenilworth Drive – **Tori Anderson, agent for Vicki Pappas, homeowner/Wyatt Pugh, BEZ – Special Issues Committee**

- 03.12.20** Request permission to install a fence which extends 11 feet into the ROW at 401 Sterrett Avenue – **Cole & Katherine Cubelic, homeowners//Wyatt Pugh, BEZ – Special Issues Committee**
- 04.12.20** Request to work in the public right-of-way adjacent to 521 Cliff Place – **Stephen Boehme /Greg Cobb, BEZ – Special Issues Committee**
- 05.12.20** Request to work in the public right-of-way adjacent to 605 Morris Blvd – **Heath Gurley /Greg Cobb, BEZ – Special Issues Committee**
- 06.12.20** Request for permission to restore an accessory structure that exists partially in the unmaintained city right-of-way for use as a workshop at 2702 BM Montgomery Street, **Julio Martinez, Owner/Wyatt Pugh, BEZ – Special Issues Committee**
- 07.12.20** Request for permission to install a parking pad in city right-of-way at 506 Kenilworth Drive – **Bruce McLeod, agent for homeowner/Wyatt Pugh BEZ – Special Issues Committee**

Councilor Smith moved to drop item 04.12.20 and approve the amended Committee Referral Agenda. Councilor Andress seconded the motion.

President Wyatt 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. 08.12.20 – Request for consideration of approval of vouchers for period of December 1, 2020 through December 14, 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. 20-186

(A Resolution for approval of vouchers for period of December 1, 2020 through December 14, 2020)

Councilor Jones moved for the adoption and enrollment of Resolution No. 20-186. Councilor Smith seconded the motion.

President Wyatt 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. 09.12.20 – Request to approve Restaurant Retail Liquor License (Wine/Beer/Liquor) to Valor Beverage Mgt, LLC d/b/a Valley Hotel 2727 18th St So pending approval of Fire and Police – Melody Salter, CPA, City Clerk/Assistant Finance Director.

Councilor Jones moved for approval pending letters of no objection from the Fire and Police Departments. Councilor Smith seconded the motion.

President Wyatt 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 Safety Committee would meet on December 21, 2020 at 5:15 p.m.

Councilor Jones stated that the Finance Committee would meet on December 21, 2020 at 5:00 p.m.

Councilor Wolverton stated that the Public Works Committee would meet on December 21, 2020 at 5:30 p.m.

Councilor Smith stated that the Special Issues Committee would meet on December 21, 2020 at 4:30 p.m.

Councilor Andress stated that the Planning and Development Committee would not meet on December 21, 2020.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:51 p.m.