

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

March 20, 2017

The City Council of the City of Homewood, Alabama convened in Special Session on Monday, March 20, 2017 at City Hall at 6:00 p.m.

The invocation was then given by Pastor Jack Hinnen of Trinity United Methodist Church/Oakmont Campus, after which the Pledge of Allegiance was given.

The meeting was called to order by Mr. Limbaugh at 6:04pm.

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

At this time, Ms. Smith moved to dispense with the reading of the Minutes of the Council Meeting of February 27, 2017 and approve them as distributed. Mr. Wright seconded the motion.

Mr. 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. Limbaugh asked if the Council had any recommendations or appointments to be made regarding board vacancies and stated that Ms. Salter placed a copy of board vacancies at their seats and he encouraged Council members to try to get participation in particular for the Arts Council vacancies, Homewood Environmental vacancies for Ward 1 and Ward 4, and Abatement Board vacancies.

Mr. Thames moved to reopen the Ward 1 Homewood Environmental Commission and set the closing for April 10, 2017.

Mr. Limbaugh stated that the Board of Education Ward 1 and Ward 3 application periods would open April 1, 2017 to close April 10, 2017. Mr. Limbaugh further stated that the interviews would be set for the week of April 17, 2017 and appointments would be made at the April 24, 2017 Council Meeting as per State Code requiring April appointments. He said that is why there is a short window of time so he encouraged everyone to get the word out about the vacancies.

At this time, Mr. Limbaugh amended the published Agenda to add the following items to the Old Business Agenda from the Committee Meetings held earlier tonight: Item No. 08.03.17 – Request for consideration of traffic improvements at Linwood Traffic Circle – Alex Wyatt/Barry Smith; Item No. 06.03.17 – Request for consideration to authorize the Mayor to renew insurance consulting services contract for FY 17-18 – Melody Salter/Finance Director/Walter Jones.

Mr. Limbaugh further amended the published Agenda to add the following items to the Committee Referral Agenda: Item No. 15.03.17 – Request to address traffic/safety concerns on Oxmoor Road between Theda Street and Morris Boulevard – Walter Jones – Public Safety Committee; Item No. 16.03.17 – Request to amend FY 16-17 Budgets – Randy Hambley and Melody Salter, Finance Director/City Clerk – Finance Committee.

Mr. Limbaugh further amended the published Agenda to add the following items to the Other New Business Agenda: Item No. 17.03.17 – Authorization for Mayor to enter into a contract with BL Harbert concerning use of bond proceeds – Bruce Limbaugh; Item No. 18.03.17 – Request to authorize Mayor to enter into negotiations for various architects for bond proceeds – Bruce Limbaugh.

Mr. McClusky moved for the approval of the Agenda as amended. Mr. Thames seconded the motion.

Mr. 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

None.

OLD BUSINESS

The first item on the Agenda under Old Business was Item No. 01.03.17 – Public Hearing set for April 10, 2017 at 6:00 p.m. for consideration of a variance to the fence ordinance at 1715 Mayfair Drive – Angela Thornton/Greg Cobb/Building, Engineering and Zoning Department.

Mr. Limbaugh stated that this Item would be carried over for the Public Hearing set for April 10, 2017 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 05.03.17 – Public Hearing set for April 10, 2017 at 6:00 p.m. for consideration of a variance to the

driveway ordinance at 602 Windsor Drive – Maria Wiggins/Greg Cobb/Building, Engineering and Zoning Department.

Mr. Limbaugh stated that this Item would be carried over for the Public Hearing set for April 10, 2017 at 6:00 p.m.

The next item considered under Old Business was Item No. 08.03.17 – Request for consideration of traffic improvements at Linwood Traffic Circle – Alex Wyatt/Barry Smith.

Mr. Wright stated that the Public Works Committee met tonight, prior to the Council Meeting, after discussion about lighting, signs, and painting, voted 5-0 to recommend adding yield signs and repainting the circle in-house.

Ms. Smith then moved for adding yield signs and repainting the circle in-house. Mr. Wyatt seconded the motion.

Mr. 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. 06.03.17 – Request for consideration to authorize the Mayor to renew insurance consulting services contract for FY 17-18 – Melody Salter/Finance Director/Walter Jones.

Mr. Jones stated that the Finance Committee met tonight, prior to the Council Meeting and, after hearing a report from Mr. Zanaty that since 2014 over \$860,000.00 was saved in insurance premiums, voted 5-0 to recommend renewing the contract.

Mr. Wright spoke about what positive changes and encouraging news this is as the insurance line item is always a big dollar amount in budget each year.

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

Resolution No. 17-54

(A Resolution authorizing the Mayor to renew contract for insurance consulting services)

Mr. Jones then moved for the adoption and enrollment of Resolution No. 17-54.

Mr. 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.

COMMITTEE REFERRAL AGENDA

- 09.03.17** Request for consideration of lighting for the flag pole at Lloyd Memorial Triangle – Mary Ann Kirkpatrick/Jennifer Andress – **Special Issues Committee**
- 15.03.17** Request to address traffic/safety concerns on Oxmoor Road between Theda Street and Morris Boulevard/Walter Jones – **Public Safety Committee**
- 16.03.17** Request to amend FY 16-17 Budgets/Randy Hambley and Melody Salter, Finance Director/City Clerk – **Finance Committee**

Mr. McClusky moved to approve the Committee Referral Agenda as amended. Mr. Wright seconded the motion.

Mr. 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

The next item on the Agenda under Other New Business was Item No. 10.03.17 – Request for consideration to authorize the Mayor to execute a certification for development at 411 Greensprings Highway (Edgemont Town Center) – City Attorney.

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

Resolution No. 17-55

(A Resolution authorizing the Mayor to execute a certification for development at 411 Greensprings Highway (Edgemont Town Center))

Mr. McClusky moved for the adoption and enrollment of Resolution No. 17-55. Ms. Smith seconded the motion.

Mr. 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. 11.03.17 – Request to rescind Resolution No. 17-53 (A Resolution to oppose and object to Senate Bill 31 as proposed by Senator Beasley which would preempt the sales of prescription

drugs in the calculation of municipal business licenses) and adopt Resolution reflecting corrected language – Mike Higginbotham.

Mr. Higginbotham stated that the Resolution that was adopted last week was a preliminary draft of the Resolution and a new version with corrected language should be adopted.

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

Resolution No. 17-56

(A Resolution to rescind Resolution No. 17-53)

Mr. Higginbotham moved for the adoption and enrollment of Resolution No. 17-56. Mr. Thames seconded the motion.

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

Resolution No. 17-57

(A Resolution to adopt Resolution to oppose and object to Senate Bill 31 as proposed by Senator Beasley which would preempt the sales of prescription drugs in the calculation of municipal business licenses to reflect corrected language)

Mr. Wolverton moved for the adoption and enrollment of Resolution No. 17-57. Mr. Higginbotham seconded the motion.

Mr. 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. 12.03.17 – Request for consideration to set a public hearing to consider declaring the property located at 2827 16th Place South., PID# 29-00-12-4-014-019.000 a public nuisance due to a violation of Ordinance's 1910 & 1750 "Excessive Growth"; Ordinance # 1098 "Litter"; and Chapter 11 Health and Sanitation, Article II Litter, Sec 11-42 "Open Storage of certain items" from the "Code of Ordinances" – Scott Cook/Sanitation Ordinance Inspector.

Mr. Limbaugh stated that the Public Hearing would be set for April 10, 2017 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 13.03.17 – Request for consideration to set a public hearing to consider declaring the property located at 2831 16th Place South., PID# 29-00-12-4-014-020.000 a public nuisance due to a violation of Ordinance's 1910 & 1750 "Excessive Growth"; Ordinance # 1098 "Litter"; and Chapter 11 Health and Sanitation, Article II Litter, Sec 11-42 "Open Storage of certain items" from the "Code of Ordinances" – Scott Cook/Sanitation Ordinance Inspector.

Mr. Limbaugh stated that the Public Hearing would be set for April 10, 2017 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 14.03.17 – Request for consideration of approval of vouchers for period of March 13, 2017 through March 19, 2017 – City Treasurer/Finance Committee.

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

Resolution No. 17-58

(A Resolution approving vouchers for period of March 13, 2017 through March 19, 2017)

Mr. Higginbotham moved for the adoption and enrollment of Resolution No. 17-58. Mr. Thames seconded the motion.

Mr. 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. 17.03.17 – Authorization for Mayor to enter into contract with BL Harbert concerning use of bond proceeds – Bruce Limbaugh.

Mr. Limbaugh stated that this item would be carried over and referred to a Committee as a Whole/Work Session set for April 3, 2017 at 5:00 p.m.

The next item considered under Other New Business was Item No. 18.03.17 – Authorization for Mayor to enter into negotiations with various architects concerning the use of bond proceeds – Bruce Limbaugh.

Mr. Thames asked if this authorized the Mayor to negotiate for Park and Rec design as well as the Police building.

Mr. Limbaugh replied yes.

Mr. McClusky moved to authorize the Mayor to enter into negotiations with various architects concerning the use of bond proceeds. Mr. Thames seconded the motion.

Mr. 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 addressed the Council and stated that he wanted to publically thank Mr. Limbaugh and the Council for those two items that would be going back to Committee because, as Pastor Jack Hinnen asked for in his opening prayer, they were governing with integrity and that was what they were doing with this issue to make sure everyone was good with going forward. Mayor McBrayer further stated that for the Parks and for the Schools, it was important that they got this right so he wanted to thank the Task Force for all of their work.

Mr. Thames stated that the Servis First Gala was held last weekend in support of an organization based in Homewood and he thanked everyone who turned out to support the fundraiser.

Mr. Higginbotham stated that he wanted to re-emphasize that they did have a vacancy in Ward 2 for the Arts Council position. Mr. Higginbotham further stated that the bill that they were talking about that would change the way they did business licenses for prescription drugs would cost the city around \$30,000.00 and the bigger issue was that they were in perilous times for municipal governments, but the expectations for what they were supposed to accomplish did not change but the amount of revenue they had to work with seemed to be getting smaller and smaller so he thought this was an opportunity to, at a State level, say that they did not believe the Bill would be a good decision.

Mr. Wolverton stated that Homewood had a new Canine Unit on night shift, Shilo and Officer Springfield, and he thought they were great assets for the city.

Mayor McBrayer stated that he wanted to remind everyone that with Spring Break coming up, that if any residents were going to be out of town and would like their home checked on a daily basis, that was a service the Homewood Police Department offered so they would just need to call dispatch to let them know when they would be gone and an officer would go by their home every day to check on it.

Mr. McClusky stated that the Public Safety Committee Meeting would be held on April 3, 2017 at 6:00 p.m.

Mr. Jones stated that the Finance Committee Meeting would be held on April 3, 2017 at 6:30 p.m.

Ms. Smith stated that she wanted to recognize a Boy Scout that was in attendance, Will Harden, who was in pursuit of a new patch and she thanked him for being there. Ms. Smith further stated that the Special Issues Committee Meeting would be held on April 3, 2017 at 6:45 p.m.

Mr. Wyatt stated that he wanted to thank everyone who attended the Corn Hole Tournament for the Athletic Foundation which raised a lot of money to help the athletic programs of the schools.

Ms. Andress stated that the “Service Guild Gala benefitting The Bell Center for Early Intervention Programs” was a record breaking fundraising event.

Mr. Wright stated that he wanted to thank Mr. Wyatt for handling last week’s Council Meeting while he and Mr. Limbaugh were out of town.

Mr. Wyatt stated that the Figueroa brothers at the High School qualified to compete in the National Wrestling Tournament which would occur this week.

Mr. Limbaugh stated that he wanted to thank all the Council members who served on the Task Force and every single member who served did so as a labor of love from the standpoint of what was best for Homewood and he thought it was unusual and unique for a City Council and a School Board and a Park Board to work together as well as these individuals did and he knew there were other cities who would love to have the cooperation between schools and city as they did in Homewood.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:40pm.