

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

**May 8, 2017**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, May 8, 2017 at City Hall at 6:00 p.m.

President Limbaugh invited Mayor McBrayer to come forward to present proclamations.

At this time, Mayor McBrayer addressed the Council and presented a proclamation to Mr. Fred Azbik for his service to the Planning Commission from October 2009 to April 2017.

Mayor McBrayer then presented a proclamation to Mr. Mike Brandt for his service to the Planning Commission from 1997 to 2017.

The invocation was then given by President Limbaugh, after which the Pledge of Allegiance was given by Boy Scout Troop 83 of Dawson Baptist Church.

The meeting was called to order by President Limbaugh at 6:08 p.m.

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

At this time, Ms. Address moved to dispense with the reading of the Minutes of the Council Meeting of April 24, 2017 and approve them as distributed. 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.

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

Ms. Address moved to appoint Mr. Thomas Reid to the At-Large position of the Homewood Downtown Redevelopment Authority position. Mr. Higginbotham seconded the motion.

Mr. Limbaugh asked if the Council had any questions or comments regarding the motion. Mr. Higginbotham asked about the policy regarding this board as he thought Ms. Andress' intention had been to nominate Mr. Reid to all three boards (HDRA/IDB/CDA). Mr. Kendrick said each board has its own separate duties and has to be appointed individually to each board as one only has 5 members and one has 13 members.

On a voice vote, the motion carried without dissent.

Ms. Andress moved to appoint Ms. Liz Rozzelle to the Ward 5 position of the Homewood Environmental Commission. 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.

Ms. Andress moved to appoint Mr. Andrew Rucks to the Ward 5 position of the Cable Commission. Mr. Wolverton 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 declared two at-large positions of the Medical Clinic Board opened and set closing date for June 12, 2017.

Mr. Gwaltney moved to appoint Mr. Andrew Marlin to the vacant supernumerary Board of Zoning Adjustments position. 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.

Mr. Thames requested that the vacant positions of the Abatement Board be opened which are Wards 3, 4 and 5.

Mr. Limbaugh declared these Abatement Board positions opened until June 12, 2017.

Mr. Limbaugh amended the published Agenda to add the following items to the Committee Referral Agenda: Item No. 19.05.17 – Request for consideration of parking study from 18<sup>th</sup> to 28<sup>th</sup> Avenue not to exceed \$25,000.00 – Britt Thames – Finance Committee.

Mr. McClusky moved for the approval of the Agenda as amended. Mr. Wolverton 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**

**21.11.16** Request for consideration to clear and possibly pave area appearing to be a former street continuing off Shadow Lane Drive and past the corner of Edgehill Rd– **Kristin Davis/Jennifer Andress (Tabled 2/6/17)**

**Action Taken: The Special Issues Committee voted 4-0 to take this off the table. The motion was made by Council member Higginbotham and seconded by Council member Gwaltney.**

**The Committee voted 4-0 to drop this item after Council member Andress said Greg Cobb of BEZ Department can add this to connect with Windsor Drive. The motion to drop was made by Council member Higginbotham and seconded by Council member Gwaltney.**

**04.02.17** Request for consideration for lighting, a porta potty, and trash receptacles for the Lakeshore Trail – **Jennifer Andress (Tabled 2/21/17)**

**Action Taken: The Special Issues Committee voted 4-0 to take this off the table. The motion was made by Council member Andress and seconded by Council member Gwaltney.**

**Committee voted 4-0 to drop this item after Council member Andress said there was one trash can added and she would bring this item back up for lighting during budget meetings for FY 17-18. The motion to drop was made by Council member Higginbotham and seconded by Council member Andress.**

Mr. Thames moved for the approval of the Consent Agenda as amended. Mr. Gwaltney 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.

## **OLD BUSINESS**

The next item on the Agenda under Old Business was Item No. 29.02.17 – Request for consideration to add street light in the Rosedale Community – Britt Thames/Andy Gwaltney.

Mr. Jones stated that the Finance Committee met on May 1, 2017 and voted 4-0 to recommend funding two street lights from Seven Cent Gas Tax Fund for \$147.00 per light annually.

Mr. 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. 17-77**

**(A Resolution to add two street lights in the Rosedale Community)**

Mr. Jones then moved for the adoption and enrollment of Resolution No. 17-77.

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 Old Business was Item No. 05.03.17 – Public Hearing set for May 8, 2017 at 6:00 p.m. to consider violation of driveway ordinance – Greg Cobb/Building, Engineering and Zoning Department/City Attorney.

Mr. Limbaugh declared the Public Hearing opened.

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

Mr. Eddie Lumpkin of 602 Windsor Drive addressed the Council and stated that he owned Metro Mini Storage and Metro Truck Rental and had been in business in Homewood since 1982. Mr. Lumpkin further stated that he helped his sons remodel a house at 704 Brisco and 700 Warwick and he thought everything was done satisfactorily but for the driveway he must have misread the ordinance so he was here not to argue but to rectify the issue and move on.

Ms. Andress asked about the trees that were removed.

Mr. Lumpkin replied that he would have already landscaped the yard but he received a stop order but he had six ten year old oak trees he planned to put into the yard and some other boxwoods and evergreens that would go around the house. Mr. Lumpkin stated that the yard was sodded one hundred percent and if he was allowed he thought he had a compromise that might make everyone happy.

Mr. Limbaugh stated that the Council would be happy to hear it.

Mr. Lumpkin presented drawings and stated that the driveway was 41 feet wide and hit the street at a diagonal but the survey now took out 14 feet of the driveway leaving it 26 feet wide. Mr. Lumpkin further stated that the driveway was probably 30 feet from the lower right hand corner to the floor level of the residence and was extremely steep so they could not make the driveway straight up because if there was any leaves, water, moisture, snow, or ice they would not be able to get to the driveway so he thought that since there was no backyard and no way to enter from the backyard, his goal was to get every car off the street because he did not like cars parking on the street and the house needed a way to park cars level and safe. Mr. Lumpkin added that it said in the Ordinance “greater than 150 feet of curb less or equal to 500 feet of frontage” and allowed three twenty foot entrances so he put in two.

Ms. Andress asked if it was 60 feet or 40 feet.

Mr. Lumpkin replied that the ordinance stated 60 feet were allowed and he put in 41 feet.

Mr. Kendrick stated that the Ordinance said three driveway cuts were allowed.

Ms. Andress asked Mr. Cobb if he had measured the driveway at 60 feet.

Mr. Cobb replied that the driveway was 40 feet and 7 inches across the driveway and was 61 feet at the street where it was raised.

Mr. Limbaugh stated that the intent of the Ordinance was to allow people to have half-moons or circles to have two 20 foot entrances and the possibility of a third 20 foot entrance into a garage similar to the one he had but there was no intention to have 40 feet for one driveway.

Mr. Lumpkin stated that he was not here to debate that and he wanted to fix the issue because he had three big projects on West Oxmoor Road and he needed to be in the Council’s good graces and did not want to be here arguing but wanted to be bringing revenue to the city. Mr. Lumpkin further stated that the driveway was currently 41 feet wide and he had a saw joint at 26 feet and he would like to continue that saw joint and grass that area and maybe put some landscaping there which would really change it. Mr. Lumpkin added that another thing that would change the look of things was time because

concrete was white when it was first poured but if it had a season to go on it probably nobody would ever say anything about it because it would be more earth toned in color.

Ms. Andress stated that she had a lot of emails from residents complaining.

Mr. Lumpkin replied that he knew the emails were solicited and he could not argue about it.

Ms. Andress stated that she sent out an email informing of the public hearing but was not soliciting opinions.

Mr. Lumpkin stated that he had ten neighbors including the one on the upper side who came to him and said he had changed the value of his home and he had ten residents thank him because the house had been taken in taxes and the power had been turned off, and nobody had lived there for five or six years and to have this house in the neighborhood would certainly be pleasing so what he was trying to do was not to argue but he had a complete landscaping plan and would like to put in mature trees, landscape around the house, and cut 14 feet off the driveway to narrow the driveway down to 26 feet and move on.

Ms. Smith asked if the landscaping plan had been submitted to the Building, Engineering and Zoning Department.

Mr. Cobb replied no.

Mr. Lumpkin stated that he had bought three Oak trees and three River Birch trees and he thought they were nice, hearty trees.

Ms. Andress stated that she lived up the street from this house and had never seen a car parked in the driveway ever or on the street so if the hardship was for extra parking but she had yet to see a car parked in the driveway.

Mr. Lumpkin replied that there had only been two people who had lived there and they parked in the driveway or the garage every night.

Ms. Andress stated that she didn't believe there was a hardship need for extra parking for additional cars.

Mr. Lumpkin stated that the hardship was that they had to enter the steepness at an angle and could not go straight up and was probably the steepest front yard in the City of Homewood.

Mr. Wyatt asked Mr. Cobb what the measurement was at the street with this revision.

Mr. Cobb replied that it was originally 61 feet and was now 48 feet wide.

Mr. Wyatt asked if it was still 48 feet at the street.

Mr. Lumpkin replied that was not exactly right because on the survey if they measured the road straight across it was 26 feet but the flair out at the end could be tightened up but what made it appear a little longer was that it hit the road at a diagonal and did not come straight into the road but was still a 26 foot driveway and was still a little bit wider at the road but again, they could not get up the driveway if it was made only 15 foot wide especially in the rain.

Mr. Limbaugh stated that the Council was not asking for it to be 15 feet.

Ms. Smith stated that the Ordinance allowed 20 feet.

Mr. Lumpkin stated that the Ordinance allowed for 60 feet.

Mr. Limbaugh stated that it did not allow for a 60 foot driveway but allowed for two entrances for a half circle and one entrance for a driveway not to exceed 20 feet but the important question was if what he was now proposing would be 26 feet total at the bottom or was it wider than that.

Mr. Cobb replied that it would end up 48 feet wide. Mr. Cobb further stated that according to the diagram in the subdivision rules was that a 20 foot driveway with a 4 and half foot radius on each end would equal 29 feet. Mr. Cobb added that the survey did show that even if he made it 20 feet wide, because he was hitting the hypotenuse side of a triangle, if it was a 90 degree driveway it would not act the same way but they could make the same measurements, but the hypotenuse side did exaggerate a little.

Ms. Andress asked Mr. Cobb if he was concerned about run-off.

Mr. Cobb replied no because he had a lot of grassed area there so what would hit on asphalt, as steep as the land was, they would not have a lot of absorption into the ground anyway. Mr. Cobb added if he landscaped at the bottom where he indicated, that would become flower beds so once that soil was tilled up it would absorb better.

Mr. Limbaugh asked if the Council had any questions or comments for Mr. Lumpkin. There was no response from the Council.

Mr. Limbaugh asked if there was anyone from the audience who wanted to speak in favor of, or in opposition to, this Item.

Mr. Thomas Reid at 603 Devon Drive, addressed the Council and stated that he lived about a block and half away and he emailed Ms. Andress his thoughts but after hearing Mr. Lumpkin speak he felt like he needed to clarify a few things. Mr. Reid

further stated that he did not believe that was the steepest driveway in the neighborhood because his was steep as well but met code and so did the rest of the other ones of the street and he did not believe this one had any more hardships than the neighbors had. Mr. Reid added that Mr. Lumpkin said he wanted to get cars off the street and it seemed to him that a fleet of vehicles could park in that driveway and he did not believe that many cars needed to be parked at that house. Mr. Reid further added that he disagreed with the comments about the seasoning because he did not feel within one season it would look much better and while he thought it looked bad now, he thought it would look just as bad over time.

Mr. Limbaugh stated that, as a point of clarification, this Item began with a driveway that was designed without a variance and without Council approval, which was why they were having this conversation, so for the general public present, the Council was not interested in being negative toward any resident or property owner but there were rules and regulations that by law had to be followed.

Mr. Limbaugh asked if there was anyone else from the audience who wanted to speak in favor, or in opposition to, this Item. There was no response from the Council.

Mr. Limbaugh declared the Public Hearing closed.

Ms. Andress stated that the emails she received all said that this would set a terrible precedent for someone to come in and do something without permission and the Council then say it was okay and that once they did that they would have to do that every time.

Mr. Limbaugh stated that it set a precedent that they could not nor would set and allowing this set a precedent that they could not set if they were to govern Homewood as the laws and regulations demanded that they did so. Mr. Limbaugh further stated that if Mr. Cobb had told him that 26 or 29 feet would accomplish what they needed then he might have been having a different attitude but he was really struggling with 48 feet so he really thought he spoke for the rest the Council that they all agreed. Mr. Limbaugh asked Mr. Kendrick where they should go from here.

Mr. Kendrick stated that the Council could either accept the variance, or send it back to the Committee for further discussion.

Ms. Smith stated that they had Mr. Lumpkin at the meeting but this was after the first Public Hearing that was held when nobody came.

Mr. Lumpkin stated he was never notified.

Ms. Smith replied that they were notified but she thought that since they did not have a specific plan that they could agree on, it would either be a negative vote or it needed to go back to Committee.

Mr. Lumpkin asked if, in an effort of saving time, he could amend the plan with whatever the Council could live with because he did not want to waste the Council's time on this so if they told him to cut it down to 20 feet he would still need a flair for cars to turn into the driveway but he wanted to appease them so he would cut the driveway down to 20 feet with flairs.

Ms. Andress stated the she and Mr. Wright would both like to see the property adhere to the Ordinance.

Mr. Lumpkin stated that the driveway was coming at an angle so it made it wide at the bottom so if he cut it only to 20 feet wide, when it hit the street if they measured the width of the driveway it would only be 20 feet if they moved in two feet from the curb but if they measured on the street it would need to be wider.

Mr. Cobb stated that it would be 29 feet.

Mr. Limbaugh asked Mr. Cobb to verify if he meant that 20 feet with flairs would be 29 feet.

Mr. Cobb replied yes, that was what was in the Ordinance.

Mr. Jones moved to drop this Issue with violation cleared within 60 days. Mr. Wolverton 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 Old Business was Item No. 05.04.17 – Public Hearing set for May 8, 2017 at 6:00 p.m. for consideration of the zoning application of Charles Jason Emerson on behalf of the current property owner Cindy Wade to rezone 285 Palisades Boulevard/Parcel ID No. 29-00-14-4-005-005.000 from C-1 (Office Building District) to GURD (Greensprings Urban Renewal District) for the purpose of establishing a retail business (Note: this Request was considered by the Homewood Planning Commission at its meeting of April 4, 2017 resulting in a favorable recommendation by a vote of 6-0) – Vanessa McGrath, Sr. Planner.

Mr. Limbaugh declared the Public Hearing opened.

Ms. McGrath addressed the Council and stated that this was a plan to rezone 285 Palisades Boulevard from C-1 to GURD and was heard by the Planning Commission on April 4, 2017.

Mr. Charles Jason Emerson at 2340 Pentland Drive, Birmingham addressed the Council and stated that the purpose of the request was to establish a family hair salon.

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

Mr. Thames stated that, for background information, Mr. Emerson originally applied for C-2 rezoning and the Planning Commission felt like that would have been a spot zoning and that GURD would be more appropriate for that parcel.

Mr. Jones stated that this was a residential house and was originally zoned Residential and asked what type of improvements he would have to make in terms of providing additional piping since there would have to be a tremendous amount of work he would have to do on this property.

Mr. Emerson replied that nothing would need to be done on the outside and the only thing that would have to be done inside was to add, adjacent to existing plumbing, some shampoo bowls and redo the flooring.

Mr. Jones asked to verify that he was not having to do any additional plumbing.

Mr. Emerson replied no and stated that the plumbing that he was going to have to do was only for shampoo bowls and a washer and dryer which would connect into the same wall from behind where the bathroom was currently. Mr. Emerson further stated that other than that a water heater would need to be put in the location but all that could be in the same area.

Mr. William Moore at 200 Theda Street addressed the Council and stated that he lived at Lot 14 which was not adjacent to the lot in question but it was in his neighborhood and he received the notice about the Public Hearing so he was there with a few of his neighbors and they all had a general feeling that they did not want the rezoning to happen. Mr. Moore further stated that on Oxmoor at Palisades there was a strip of land that did not have any houses on it and was not something that anyone would want to live in because it was completely junked up with fast food restaurants to payday loan places and it was a mess. Mr. Moore added that he walked his dogs down that street every day and it was an eyesore so he looked over to the Homewood side at all the houses and did not look to his left so his concern in granting this change in zoning for this property, while he appreciated the intent of improving the economy, his concern was of that zoning spreading down that street. Mr. Moore further added that there was a for sale sign on lot 7

or 8 that said “potential commercial” so there were now four places that were zoned for law firms, insurance companies, etc. but there were two people that were living in Lots 9 and 10 but Lot 10 was the one that was behind his house and there was a nice older lady there and he could not imagine her having to live next to a convenience store, gas station, dry cleaner, or anything else that might fall under the GURD Development and he knew that if they granted the variance it would inevitably lead to the resident in the lot next to her moving, then the lot behind his house would be next to a lot with that variance so he would then consider moving because he felt that the trash that was a result of what was happening at Palisades coming down onto Oxmoor would happen to Theda Street.

Ms. Marquitta Callender at 206 Theda Street addressed the Council and stated that she had lived in her house for 20 years and it wasn't too many years ago that 109 Columbiana was changed from R-7 to C-1 and those first three properties coming in from the Palisades were C-1 and R-7 so that one had already been changed from R-7 to C-1 and now they were wanting to jump the street with GURD, which allowed for fast food restaurants and that was not consistent with abutting to a residential neighborhood and was not what they wanted. Ms. Callender further stated that she was a little confused when she got this in the mail because this future land use with yellow indicating residential putting that property at GURD was not they needed to do. Ms. Callender added that because she had lived on that street for 20 years she could tell them that when she first moved to that neighborhood there were a lot of rental properties on Theda and she had to believe that if they went back and looked far enough it had to do with those properties that they were looking at now being changed from residential homes so Theda Street had about four homes on that street when she first moved in that were rentals and now they had been purchased but this was not the direction they wanted to go. Ms. Callender further added that GURD was the wrong zoning for that property and it needed to remain an office building or it needed to become residential.

Mr. Alex Gast at 202 Theda Street addressed the Council and stated that, as Mr. Moore said, several residents were here tonight and he thought they all really appreciated Green Springs which had a lot of good things and they liked having access to walk to Publix but there was that interface between all the business and the residential side and they needed to figure how far they were willing to let it come to them. Mr. Gast further stated that, as an example, last week at 11:50 p.m. someone was blowing the parking lot at Publix and he and his wife were woken up to that so that was the tension that the residents always felt because they appreciated Green Springs but they did not want the noise to continue to get closer so the fear was that as those properties were rezoned it could go outside of a nine to five operating hour range.

Mr. 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 audience.

Mr. Limbaugh stated that he would like to continue the Public Hearing because Ms. Cindy Wade was not available tonight and she and her late husband Buddy had been very giving over the decades to Homewood and he did think letting her having an opportunity to speak, while what each resident had to say was very important and he agreed that there were directions they did not want to see this go, but he thought they owed Ms. Wade the opportunity to make some comments as well.

Mr. Jones stated that for Ward 3, he was fine with continuing the Item but he wished they would take care of it tonight, and he wanted to say to Mr. Emerson that they wanted him in Homewood but he did not believe this was the right property in Homewood for his business. Mr. Jones further stated that recommending GURD was not a good idea at all because regarding late night hours, they had to plan for what could be situated at that property such as a drive-through window that was opened until midnight that they would hear in their backyard so he was not for this at all and it needed to stay C-1. Mr. Jones added that just looking at the potential it could be with GURD, which he was on the Council when GURD was established for properties on Green Springs and never intended to be in a residential area so he was not sure what the Planning Commission was looking at when they looked at this but though he knew Ms. Wade had done a lot for the community, he thought this was not something that they were going to garner any more information on by continuing it. Mr. Jones further added that it was clear cut in his opinion that this needed to remain its current zoning just looking at what potential uses this property could be and would plead to the Council if they wanted a fast food restaurant in their back yard where they could hear all the noise and regardless of the time, but this was not even the appropriate use so he was not sure how they even arrived at GURD being a recommendation so he thought it was clear and would be happy to call Ms. Wade on behalf of Ward 3 and explain why he was not for it and did not see any other reason that they would garner any more information that would move him to consider anything other than denying the request.

Mr. Limbaugh stated that he thought the phone call to Ms. Wade would be valuable so he supported him doing that but in the process of listening to what Ms. Wade had to say they might come up with another option that might be more acceptable to the community members and to Mr. Jones and the Council.

Mr. Jones stated that they needed to plan what that option would be because he was not for C-2 either because C-2 allowed for restaurants and there were other things that he felt strongly about that under C-2, which was the original request, they could still put a gas station there so he was open to other options but there were no options that he could see because the only other option would be to rezone it to residential and that was not going to be what Ms. Wade suggests when he calls her so he was not willing to even consider C-2 and felt they needed to keep it like it was and clean up the map in that area

because there were some inconsistencies with their own zoning that needed to be corrected.

Mr. Thames stated that he was not in attendance at that Planning Commission Meeting when this was heard but they did recommend the GURD to try to avoid spot zoning and they felt that the lot dimensions would help to restrict some of the other business types that were allowed in GURD. Mr. Thames further stated that he thought they had another situation with a gap in their zoning to jump from C-1 to C-2 was a bit unreasonable because they would have to go to C-2 to put a dentist office in this house and they were talking about two totally different things because he thought that would be much more appropriate than the same zoning that allowed a fast food restaurant. Mr. Thames added that he agreed that they needed to look at zoning as a whole but that was a little more background information on the thought process of the Planning Commission in this situation.

Ms. Callender stated she and her neighbors had come out tonight to talk to the Council about their concerns and she thought that, though Ms. Wade had been in the Homewood community for a long time, it was pretty clear what she wanted because this was what she asked for and, being in real estate for a long time, she was pretty confident that she knew what she was asking for. Ms. Callender further stated that they had come out tonight and they would like for this to be resolved tonight.

Mr. Jones stated that before they moved on, the residents were calling himself and Mr. McClusky for guidance and asked if this item was being continued to the next meeting and stated that he needed clarification for the residents who have come out tonight.

Mr. Limbaugh stated that this Item would be continued to May 22, 2017.

Mr. Thames asked if Ms. Wade came and proffered something wouldn't any large scale change kick it back to the Planning Commission.

Mr. Jones replied yes and stated that anything proffered would cause the whole process to start all over again.

Mr. Kendrick stated that they would have to at least have a re-notice of the Public Hearing at this level and likely could have something that was more restrictive than GURD that would be acceptable but they would still need to have another Public Hearing. Mr. Kendrick further stated that depending on what she proffered they would have to have at least one more Public Hearing at this level if not back to the Planning Commission. Mr. Kendrick added that he would need to know what she was proffering before he knew how to answer the question.

Mayor McBrayer stated that this was why Mr. Limbaugh wanted to continue the Public Hearing.

Mr. Jones asked if they needed to post another notice of the May 22, 2017 Public Hearing.

President Limbaugh replied no because this Public Hearing was continued.

Mr. Jones asked to clarify that it was continued until May 22, 2017 to allow Ms. Wade to speak and then at that point they would either get a proffer or a vote.

Mr. Limbaugh replied yes.

Mr. Jones asked to clarify that if there was a proffer it would go back to the Planning Commission.

Mr. Kendrick replied that it would possibly go back to the Planning Commission.

The next item on the Agenda under Old Business was Item No. 06.04.17 – Request for presentation of preliminary FY 15-16 audited financial results – Melody Salter, Finance Director/City Clerk.

Mr. Jones stated that the Finance Committee met on May 1, 2017 and voted 5-0 to recommend accepting the audit report.

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

Mr. Jones then moved to accept the presentation of preliminary FY 15-16 audited financial results. 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 Old Business was Item No. 07.04.17 – Request for presentation of mid-year review – Melody Salter, Finance Director/City Clerk.

Mr. Jones stated that Ms. Salter had done a fantastic job working through this review while auditors were in and it just so happened that the mid-year review happened at the same time as the audit and he just wanted to thank Ms. Salter for the work she had been putting in. Mr. Jones further stated that based on the information Ms. Salter provided they were doing very well from a fiscal standpoint and the only issue they

continued to look at was Capital and the way they were structured. Mr. Jones added that the Finance Committee met on May 1, 2017 and voted 4-0 to recommend accepting the mid-year review.

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

Mr. Jones then moved to accept the mid-year review. 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 Old Business was Item No. 11.04.17 – Request for consideration of fence installation/barrier at 521 and 538 Edgeknoll Lane – Anna and Steven Schrimpf/Julie and Corey Johnson/Andrew Wolverton.

Mr. Jones stated that the Finance Committee met and voted 4-0 to send back to the full Council without recommendation pending the final cost estimates.

Mr. Cobb stated that he had received bids on this project both for a 6 foot fence and for an 8 foot fence but asked the Council to allow him an extra \$150.00 in case he had to maneuver around a tree because the cost was figured by the linear foot. Mr. Cobb further stated that for the six foot fence the low bid was \$1,563.00 and for the eight foot fence the low bid was \$2,660.00.

Ms. Smith asked if the fence would run along the creek.

Mr. Cobb replied no and stated that this would run along Oxmoor Boulevard.

Ms. Smith asked if there would be enough difference between the six foot fence and the eight foot fence to make the additional \$1,100.00 worthwhile.

Mr. Cobb replied that it made a lot of difference to the noise coming off the road because the truck traffic noise was unbelievably loud so the eight foot fence would help with that because it would be high enough and was on a little bit of a berm to keep that noise out.

Mr. Limbaugh asked Mr. Cobb if his recommendation would be for an 8 foot fence.

Mr. Cobb replied yes.

Mr. Limbaugh asked Mr. Jones if the Finance Committee's recommendation included \$2,660.00 for an 8 foot fence.

Mr. Jones replied no but he would recommend from the floor to approve up to \$3,000.00 out of the 12-12-522500 Small Infrastructure Fund to fund the 8 foot fence.

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

**Resolution No. 17-78**

**(A Resolution for a fence installation at 521 and 538 Edgeknoll Lane not to exceed \$3,000.00)**

Mr. Jones then moved for the adoption and enrollment of Resolution No. 17-78. Mr. McClusky 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 Old Business was Item No. 19.04.17 – Request for consideration of an Ordinance participating in the State of Alabama 2017 “Back to School” Sales Tax Holiday on July 21-23, 2017 – City Clerk.

Mr. Jones stated that the Finance Committee met on May 1, 2017 and voted 4-0 to recommend approval of participating in the “Back to School” Sales Tax Holiday.

Mr. 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 first reading of the proposed Ordinance for the Council's consideration:

**Ordinance No.**

**(An Ordinance for participating in the State of Alabama 2017 “Back to School” Sales Tax Holiday on July 21-23, 2017)**

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

The motion for unanimous consent carried.

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

**Ordinance No. 2655**

**(An Ordinance for participating in the State of Alabama 2017 "Back to School" Sales Tax Holiday on July 21-23, 2017)**

Mr. Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2655. Mr. McClusky 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 roll call vote, the votes were Yeas: Mr. Gwaltney, Mr. Thames, Mr. Higginbotham, Mr. Wolverton, Mr. McClusky, Mr. Jones, Ms. Smith, Mr. Wyatt, Ms. Andress, and Mr. Limbaugh.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 20.04.17 – Request to authorize the Mayor to send out Requests for Proposals (RFP's) and set bid opening date for the Mayfair Sidewalk Project – Alex Wyatt.

Mr. Jones stated that the Finance Committee met on May 1, 2017 and voted 4-0 to recommend a bid opening date of May 22, 2017 at 5:00 p.m.

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

Mr. Limbaugh stated that with no objections, the bid opening date would be set for May 22, 2017 at 5:00 p.m. There was no objection.

The next item on the Agenda under Old Business was Item No. 26.04.17 – Request to consider FY 17-18 budget request from BJCTA – Walter Jones/Melody Salter.

Mr. Jones stated that the Finance Committee met on May 1, 2017 and voted 5-0 to recommend \$73.51 per service hour and to send this cost to the Mayor for his recommendation for funding cost in his FY 17-18 Budget.

Mr. Jones then moved to recommend \$73.51 per service hour and to send this cost to the Mayor for his recommendation for funding cost in his FY 17-18 Budget.

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 this Item required a Resolution.

Mr. Kendrick replied no and stated that the Act they were dealing under required them to tell them what service they wanted and Ms. Murdoch confirmed that they were not looking for a response until July so they were relying upon that representation that even though it was contra to what the Enabling Act set out so in July there would need to be a recommendation from the Mayor or Council in response to their proposal for what service, if any, the City wanted.

The next item on the Agenda under Old Business was Item No. 27.04.17 – Request for consideration of a franchise agreement with Mobilitie, LLC – Rick Frier/Melody Salter/City Clerk/Greg Cobb/Building, Engineering and Zoning Department.

Mr. Jones stated that the Finance Committee met on May 1, 2017 and voted 4-0 to recommend approval and strike permission to install pole as it was handled under Franchise Agreement.

Mr. 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 first reading of the proposed Ordinance for the Council's consideration:

**Ordinance No.**

**(An Ordinance approving a franchise agreement with Mobilitie, LLC)**

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

The motion for unanimous consent carried.

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

**Ordinance No. 2656**

**(An Ordinance approving a franchise agreement with Mobilitie, LLC)**

Mr. McClusky moved for the enrollment and adoption and publication according to law of Ordinance No. 2656. 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 roll call vote, the votes were Yeas: Mr. Gwaltney, Mr. Thames, Mr. Higginbotham, Mr. Wolverton, Mr. McClusky, Mr. Jones, Ms. Smith, Mr. Wyatt, Ms. Address, and Mr. Limbaugh.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 28.04.17 – Request for consideration of a transfer of fiber optic franchise agreement with Southern Light, LLC – City Attorney/Melody Salter/City Clerk.

Mr. Jones stated that the Finance Committee met on May 1, 2017 and voted 4-0 to recommend approval of transfer.

Mr. 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. 17-79**

**(A Resolution approving a transfer of fiber optic franchise agreement)**

Mr. Jones then moved for the adoption and enrollment of Resolution No. 17-79.

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 Old Business was Item No. 29.04.17 – Request for consideration of recommendation for program manager for B.O.E. – Walter Jones.

Mr. Jones stated that the Finance Committee met on May 1, 2017 and voted 4-0 to recommend Hoar Project Management (HPM) as project manager funded from 2016 bond proceeds.

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

**Resolution No. 17-80**

**(A Resolution approving HPM as B.O.E. project manager)**

Mr. Jones then moved for the adoption and enrollment of Resolution No. 17-80.

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**

- 01.05.17** Request for consideration of declaring the following surplus property:  
2001 Ford Turtle Van Terra VIN: 1FDSE35L91HA55088 – Berkley  
Squires/Public Services Director – **Finance Committee**
- 02.05.17** Request for consideration of declaring the following surplus property:  
2002 Chevy Impala VIN: 2G1WF52K829206334 – Sgt. Jerry  
Suttles/Police Department – **Finance Committee**
- 03.05.17** Request for consideration for amendments to the FY 16-17 General Fund  
Budget and Special Revenue Budget – Melody Salter/Finance Director –  
**Finance Committee**
- 04.05.17** Request for consideration of an Ordinance levying Ad Valorem taxes for  
2017 – City Attorney – **Finance Committee**
- 05.05.17** Request for consideration of an Ordinance granting an Exemption from  
Ad Valorem taxes for 2017 – City Attorney – **Finance Committee**
- 06.05.17** **Request to set a Public Hearing and referral to the Special Issues  
Committee** for consideration of a variance to the sign ordinance at 400  
Green Springs Highway – Garry Potts/ Greg Cobb/Building, Engineering,  
and Zoning Department – **Special Issues Committee**

- 07.05.17** Request to install two new power poles in the City Right-of-Way – Mike Isaacs/Crown Castle/Building, Engineering, and Zoning Department – **Special Issues Committee**
- 08.05.17** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a variance to the fence ordinance at 201 Montgomery Lane in order to extend a side yard chain link fence beyond the front line of the house – Betty West, owner/Wyatt Pugh, Building Official – **Special Issues Committee**
- 09.05.17** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a variance to the sign ordinance at 1250 Columbiana Road –Sandy Owens/Greg Cobb/Building, Engineering, and Zoning Department – **Special Issues Committee**
- 10.05.17** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration of the zoning application of F.R.Z. LLC on behalf of the current property owner Fred Shunnarah to rezone 819 Green Springs Highway/Parcel ID No. 29-00-23-1-002-002.000 from GURD (Greensprings Urban Renewal District) to R-7 (Attached Dwelling Unit District) for the purpose to permit the development of new townhouses (Note: this Request was considered by the Homewood Planning Commission at its meeting of May 2, 2017 resulting in a unfavorable recommendation by a vote of 0-7) – Vanessa McGrath, Sr. Planner – **Planning and Development Committee**
- 11.05.17** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration of the zoning application of Coker Holdings, LLC on behalf of the current property owner Tim Coker to rezone 2756 BM Montgomery Street/Parcel ID No. 28-00-07-3-008-006.000 to amend the development plan for MXD (Mixed Use District Zoning Classification) for the purpose to permit the enlargement of an existing structure requiring both Planning Commission and City Council approval in the Mixed Use District Zoning (Note: this Request was considered by the Homewood Planning Commission at its meeting of May 2, 2017 resulting in a favorable recommendation by a vote of 7-0)– Vanessa McGrath, Sr. Planner– **Planning and Development Committee**

- 12.05.17** Request for consideration of Petition of Annexation for the property located at 1400 Shades Crest Road– Melba Kane/Jolene Mills/City Clerk – **Planning and Development Committee**
- 13.05.17** Request for consideration of codification options with corresponding costs –Melody Salter, City Clerk – **Finance Committee**
- 19.05.17** Request for consideration of parking study from 18<sup>th</sup> to 28<sup>th</sup> Avenue not to exceed \$25,000.00 – Britt Thames – **Finance Committee**

Ms. Smith moved for the approval of the Committee Referral Agenda as amended. Mr. Gwaltney 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. 06.05.17 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the sign ordinance at 400 Green Springs Highway – Garry Potts/Greg Cobb/Building, Engineering and Zoning Department.

Mr. Limbaugh stated that the Public Hearing would be set for May 22, 2017 at 6:00 p.m.; however, later in the meeting the Council voted to change this public hearing to 5:00p.m., when they changed the start time of the May 22, 2017 Council Meeting.

The next item on the Agenda under Other New Business was Item No. 08.05.17 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the fence ordinance at 201 Montgomery Lane in order to extend a side yard chain link fence beyond the front line of the house – Betty West, owner/Wyatt Pugh, Building Official.

Mr. Limbaugh stated that the Public Hearing would be set for May 22, 2017 at 6:00 p.m.; however, later in the meeting the Council voted to change this public hearing to 5:00p.m., when they changed the start time of the May 22, 2017 Council Meeting.

The next item on the Agenda under Other New Business was Item No. 09.05.17 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the sign ordinance at 1250 Columbiana Road – Sandy Owens/ Greg Cobb/Building, Engineering, and Zoning Department.

Mr. Limbaugh stated that the Public Hearing would be set for May 22, 2017 at 6:00 p.m.; however, later in the meeting the Council voted to change this public hearing to 5:00p.m., when they changed the start time of the May 22, 2017 Council Meeting.

The next item on the Agenda under Other New Business was Item No. 10.05.17 – Request to set a Public Hearing and referral to the Planning and Development Committee for consideration of the zoning application of F.R.Z. LLC on behalf of the current property owner Fred Shunnarah to rezone 819 Green Springs Highway/Parcel ID No. 29-00-23-1-002-002.000 from GURD (Greensprings Urban Renewal District) to R-7 (Attached Dwelling Unit District) for the purpose to permit the development of new townhouses (Note: this Request was considered by the Homewood Planning Commission at its meeting of May 2, 2017 resulting in a unfavorable recommendation by a vote of 0-7) – Vanessa McGrath, Sr. Planner.

Mr. Limbaugh stated that the Public Hearing would be set for June 12, 2017 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 11.05.17 – Request to set a Public Hearing and referral to the Planning and Development Committee for consideration of the zoning application of Coker Holdings, LLC on behalf of the current property owner Tim Coker to rezone 2756 BM Montgomery Street/Parcel ID No. 28-00-07-3-008-006.000 to amend the development plan for MXD (Mixed Use District Zoning Classification) for the purpose to permit the enlargement of an existing structure requiring both Planning Commission and City Council approval in the Mixed Use District Zoning (Note: this Request was considered by the Homewood Planning Commission at its meeting of May 2, 2017 resulting in a favorable recommendation by a vote of 7-0)– Vanessa McGrath, Sr. Planner.

Mr. Limbaugh stated that the Public Hearing would be set for June 12, 2017 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 14.05.17 – Request for consideration of an ABC 040 – Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) for Balaji, LLC d/b/a Hampton Inn located at 30 State Farm Parkway – City Clerk.

Ms. Salter stated that the last she heard the Police Department had cleared them but was not clear from the Fire Department yet.

Mr. McClusky stated that this was correct and that the Police Department had signed off on it but the Fire Department still had some issues. Mr. McClusky further stated that he talked to the hotel owner today and they were going to get the Fire Chief

back out there to take another look and the corrections should be done by the end of this week so the Council should be able to approve it at the next Council meeting.

Mr. Limbaugh stated that this Item would be carried over.

The next item on the Agenda under Other New Business was Item No. 15.05.17 – Request for consideration of Engineering Drawings for Central Avenue and amend the General Fund Engineering Services line item 01-12-520200 for a not to exceed \$20,000.00 amount – Walter Jones/Melody Salter/Greg Cobb.

Mr. Jones stated that they thought they could proceed with this earlier but Mr. Cobb requested additional funding.

Mr. Kendrick stated that the Resolution had an appropriation not to exceed \$20,000.00.

Mr. Jones stated that at the last Council meeting they approved the design to be done by Skipper Consulting, Inc. but did not know amount needed to fund at that time.

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

**Resolution No. 17-81**

**(A Resolution approving Engineering Drawings for Central Avenue and amend the General Fund Engineering Services line item 01-12-520200 for a not to exceed \$20,000.00 amount)**

Mr. Jones then moved for the adoption and enrollment of Resolution No. 17-81. 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 on the Agenda under Other New Business was Item No. 16.05.17 – Request for consideration of a Resolution to authorize the Mayor to execute an agreement with B.L. Harbert International LLC for Construction Manager Services for the Public Safety and Parks Projects – City Attorney.

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

**Resolution No. 17-82**

**(A Resolution to authorize the Mayor to execute an agreement with B.L. Harbert International LLC for Construction Manager Services for the Public Safety and Parks Projects)**

Ms. Smith then moved for the adoption and enrollment of Resolution No. 17-82. 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 on the Agenda under Other New Business was Item No. 17.05.17 – Request for consideration to authorize the Homewood Environmental Commission to apply for Tree City USA recognition for the City of Homewood – Mike Higginbotham.

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

**Resolution No. 17-83**

**(A Resolution to authorize the Homewood Environmental Commission to apply for Tree City USA recognition for the City of Homewood)**

Mr. Higginbotham then moved for the adoption and enrollment of Resolution No. 17-83. Ms. Andress seconded the motion.

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

Mr. Jones asked to verify that there was no cost for this.

Mr. Higginbotham replied no and stated that there was no cost associated with it because it only required them to submit an application and if they met the criteria they would get the designation.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 18.05.17 – Request for consideration of approval of vouchers for period of April 24, 2017 through May 7, 2017 – City Treasurer/Finance Committee.

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

**Resolution No. 17-84**

**(A Resolution approving vouchers for period of April 24, 2017 through May 7, 2017)**

Mr. Jones then moved for the adoption and enrollment of Resolution No. 17-84. 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.

Mayor McBrayer addressed the Council and stated that We Love Homewood Day was a great event and he was amazed at the Street Party in Edgewood at the amount of people and the amount of young kids that were there. Mayor McBrayer further stated that it demonstrated all that was good about Homewood and the restaurants, the people, and the atmosphere. Mayor McBrayer added that this Saturday Boy Scout Troop 97 would have their Pancake Breakfast at Trinity. Mayor McBrayer further added that he wanted to remind anyone travelling out of town to see their mom for Mother's Day to be careful travelling and wished all the moms a Happy Mother's Day.

Mr. Gwaltney stated that he wanted to recognize Ms. Debbie Fout, Library Director, who recently received the NASA @ My Library Grant issued by NASA's STEM program which was a multi-year grant for \$2,000.00 renewable for up to two years. Mr. Gwaltney further stated that there were up to 513 applicants and 73 libraries won so this said a lot for our library and what they brought to the City including Ms. Fout's leadership. Mr. Gwaltney added that the Council would find in their boxes the library's annual report. Mr. Gwaltney further added that the Library also won Best Float at We Love Homewood Day and thanked Mr. Squires and Mr. Holly and their entire team for an excellent and flawless event.

Mr. Thames stated that he wanted to thank the Streets and Park Department for Saturday and Ms. Salter's team, especially Claire, who really did a fantastic job on the float and it was a lot of fun. Mr. Thames further stated that the Planning and Development Committee would meet on May 15, 2017 at 5:00 p.m.

Mr. Higginbotham stated that wanted to echo the accolades for We Love Homewood Day and thanked Claire for the amazing shirts. Mr. Higginbotham further stated that tomorrow at 6:00 p.m. at the Senior Center, Homewood Parks and Recreation was hosting a community meeting to discuss plans for Patriot Park. Mr. Higginbotham added that the Patriot Park Street Fest would occur from 4:00-9:00 p.m. on May 13, 2017 and would include booths from the West Homewood Farmer's Market.

Mr. Wolverton stated that it was important for not only people from West Homewood to be a part of the Park's discussion but anyone from any Ward should be involved because the renovations would affect everybody in all of Parks and Rec as well.

Mr. McClusky stated that the Park Board Meeting was imperative to attend. Mr. McClusky further stated that We Love Homewood was an incredible success and thanked Ms. Salter and her team as well as the Park and Rec and Street and Sanitation

Departments and it was amazing that by the next morning all the candy and trash was gone. Mr. McClusky added that the Public Safety Committee would meet on May 15, 2017 at 5:30 p.m. Mr. McClusky further added that he had to brag on some of the younger citizens in Homewood because there was a fifth grader names Aidan Cockrell who was attending the World Dwarf Games in Canada this July and there was a group of about 30 fifth graders from all different schools who decided to help him get to the Games by hosting a Fund Raising Basketball Three On Three Tournament that will be held on May 21, 2017 and this group of boys, including his son, had split themselves up into committees so that everyone was in charge of different parts of the tournament from marketing to running the tournament and scoring and they were excited to do this for Aidan so the sense of community they felt as adults showed up in their kids, too.

Mr. Jones stated that the Finance Committee would meet on May 15, 2017 at 5:45 p.m. Mr. Jones further stated that Aidan was their constituent who lived on Broadway and his son had been on several of his teams and he was a great athlete and had a great spirit and attitude. Mr. Jones added that the next two weeks were going to be very emotional for him because next Tuesday night his son Weston would be in the Birmingham Boys' Choir Concert at Dawson at 6:00 p.m.; the High School was having their Awards Day Ceremony on May 18, 2017; Baccalaureate would be May 21, 2017 at 3:00 p.m.; and Graduation would be next Monday at 7:00 p.m.

Mr. Limbaugh asked if the Council could start that night's Council Meeting at 5:00 p.m.

Ms. Andress moved to change the time of the Council Meeting of May 22, 2017 to 5:00 p.m. Mr. Higginbotham seconded the motion.

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

Ms. Salter stated that they would need to change the Public Hearings for that night to 5:00 p.m. as well.

Mr. Limbaugh stated this vote would change those as well.

On a voice vote, the motion carried without dissent.

Ms. Smith stated that she wanted to echo the comments on We Love Homewood Day which was wonderful and Ms. Salter's staff always did a fantastic job of getting them set up with an adorable float. Ms. Smith further stated that she went to Trinity Church the next morning at 7:45 a.m. and there was not a piece of candy in front of the church which was amazing. Ms. Smith added that the Special Issues Committee would meet on May 15, 2017 at 6:15 p.m.

Mr. Wyatt stated that he had a great time at We Love Homewood and wanted to thank Ms. Salter and her staff and Parks and Rec. Mr. Wyatt further stated that the Girls' Track Team won State again which was the fourth year in a row and also won the Triple Crown for the second time in a row and the Boys won Runner Up of State Champions.

Ms. Andress stated that she was very excited about the Track Team and her son would be running next year and they were all proud of the kids and coaching staff. Ms. Andress further stated that she wanted to thank Ms. Salter and Claire for their work for We Love Homewood Day and also wanted to mention the We Love Homewood Day 5-K which had over 400 registrants. Ms. Andress added that the Ribbon Cutting/Ground Breaking Ceremony would be held at Vulcan for the Kiwanis Centennial Project at Vulcan Park where they were building a new north facing plaza and a new trail and would eventually connect to Homewood's sidewalks and would be installing a light show. Ms. Andress further added that this was a four million dollar project and Mr. Tom Thagard spoke at the Homewood Kiwanis Club last week where they invited the Council to attend the event.

Mr. Limbaugh stated that Claire did a phenomenal job decorating the float and planning the t-shirts and was a real talent.

Ms. Salter stated that Claire was the creative arts genius behind the City Clerk.

Mr. Limbaugh stated that Ms. Smith's husband sat down with him on the float and they had two very large buckets of candy and he said there was no way he would be able to throw all that but he ran out before they got to the end of the parade because he felt that had to be the largest crowd they ever had and he didn't think he had ever seen so many smiling faces in one place which warmed his heart.

Mr. Kendrick stated that regarding the Resolution for Item No. 29.04.17, which was the selection of HOAR for the School Board, the amount designated in the Resolution adopted the \$290,000.00 fee.

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