

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

**February 12, 2024**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, February 12, 2024 at City Hall at 6:00 p.m.

The invocation was given by Councilor Smith, after which the pledge of allegiance was given.

The meeting was called to order by President Wyatt at 6:16 p.m.

Upon Roll Call, the following were present: Andy Gwaltney, Melanie Geer, Andrew Wolverton, Nick Sims, Walter Jones, Barry Smith, Jaleté Nelms, Jennifer Andress, John Hardin, and Alex Wyatt, constituting a quorum of Council members. Also present were: Mike Kendrick, City Attorney; J.J. Bischoff, Chief of Staff; and Bo Seagrist, Assistant City Clerk. Absent: Carlos Alemán.

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Council Meeting of January 29, 2024 and approve them as presented. Councilor Nelms 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.

At this time, Councilor Smith moved to appoint Megan Hand to the Ward 4 BZA position. Councilor Nelms 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 application period for two Ward 1 Beautification Board positions would be opened until February 26, 2024 and further stated as a reminder that two At-Large positions, a Ward 4 position, and a Ward 5 position of the Arts Council was still open until February 26, 2024 at 4:30 p.m.

At this time, President Wyatt amended the published Council Agenda to add the following item to the Other New Business Agenda: Item No. 05.02.24 – Request to set a Public Hearing for re-consideration to rezone 1300 Columbiana Road (PID # 29-00-23-4-

003-004.000, 29-00-24-3-008-001.000, & 23-00-24-3-008-002.000) from I-2 (Institutional District) to C-1 (Office Building District). Applicant: Eric Rogers/Progressive Properties, PLLC; Owner: Second Presbyterian Church to permit the construction of a 11,000 sq. ft., single-story medical office buliding; said proposed rezoning to exclude the southern potrtion of the subject property, presently occupied by the Second Presbyterian Church, which wil remain zoned I-2, Institutional District (The Planning Commission had a vote of 5-0-1 for a favorable recommendation) – Cale Smith, PE.

Councilor Wolverton moved for the approval of the amended Council Agenda. Councilor Gwaltney 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**

**None.**

### **OLD BUSINESS AGENDA**

The first item on the Agenda under Old Business was Item No. 10.01.24 – Request to authorize the Mayor to sign an agreement with ALDOT for the Operation of Traffic Control Signals along US 31 and AL 149 (Lakeshore) – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on February 5, 2024 and voted 4-0 to recommend approval.

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

#### **Resolution No. 24-14**

**(A Resolution to authorize the Mayor to sign an agreement with ALDOT for the Operation of Traffic Control Signals along US 31 and AL 149 (Lakeshore))**

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. 11.01.24 – Request for consideration of placing full-page ad in the Chamber of Commerce Magazine – Councilor Andress.

Councilor Jones stated that the Finance Committee met on February 5, 2024 and voted 4-0 to recommend approval.

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

**Resolution No. 24-15**

**(A Resolution placing full-page ad in the Chamber of Commerce Magazine)**

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. 12.01.24 – Request to authorize the Mayor to acquire Alabama Firefighter Disability Insurance – Robert Burgett, Finance Director.

Councilor Jones stated that the Finance Committee met on February 5, 2024 and voted 4-0 to recommend approval.

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

**Resolution No. 24-16**

**(A Resolution to authorize the Mayor to acquire Alabama Firefighter Disability Insurance)**

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. 13.01.24 – Request for consideration of budget amendment FY 23-24 – John Morgan, Court / Robert Burgett, Finance Director.

Councilor Jones stated that the Finance Committee met on February 5, 2024 and voted 4-0 to recommend approval.

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

**Resolution No. 24-17**

**(A Resolution approving a budget amendment for FY 23-24)**

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. 14.01.24 – Request for permission to add a crosswalk with pedestrian signals at Saulter Road and South Wellington Road – Cale Smith, PE.

Councilor Gwaltney stated that the Public Safety Committee met on February 5, 2024 and voted 4-0 to recommend approval.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:24 p.m.:

**Ordinance No.**

**(An Ordinance to add a crosswalk with pedestrian signals at Saulter Road and South Wellington Road)**

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. Councilor Nelms 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, 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. 2891**

**(An Ordinance to add a crosswalk with pedestrian signals at Saulter Road and South Wellington Road)**

Councilor Smith moved for the enrollment and adoption and publication according to law of Ordinance No. 2891. Councilor Gwaltney seconded the motion.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, 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. 15.01.24 – Request for consideration for Special Event Liquor License at the Battery at 2821 Central Ave – Jeremy Stephens / J.J. Bischoff.

Councilor Gwaltney stated that the Public Safety Committee met on February 5, 2024 and voted 4-0 to recommend having no objection to the issuance of the license.

President Wyatt asked if the Council had any questions or comments regarding the motion from the Public Safety 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. 16.01.24 – Request for consideration for Special Event Liquor License for the Taste of Homewood on the City Hall Plaza – Meredith Drennen, Chamber of Commerce / J.J. Bischoff.

Councilor Gwaltney stated that the Public Safety Committee met on February 5, 2024 and voted 4-0 to recommend having no objection to the issuance of the license.

President Wyatt asked if the Council had any questions or comments regarding the motion from the Public Safety 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. 17.01.24 – Request for consideration to permit replacement of existing retaining wall in the right-of-way at 608 Warwick Road – Kathy Welch / Wyatt Pugh, Building Official.

Councilor Wolverton stated that the Public Works Committee met on February 5, 2024 and voted 5-0 to recommend approval.

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

**Resolution No. 24-18**

**(A Resolution to permit replacement of existing retaining wall in the right-of-way at 608 Warwick Road)**

President Wyatt asked if the Council had any questions or comments regarding the motion from the Public Works 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. 04.01.24 – Public Hearing set for February 12, 2024 at 6:00 p.m. for consideration of a sign variance at 1916 28<sup>th</sup> AVE S, White House Interiors / Cassie Burchell, Alpha Graphics/ Wyatt Pugh, Building Official.

Councilor Smith stated that the Special Issues Committee met on January 22, 2024 and voted 5-0 to refer to the full Council without recommendation pending the Public Hearing.

President Wyatt declared the Public Hearing opened at 6:29 p.m.

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

Cassie Burchell addressed the Council regarding this item.

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

President Wyatt asked if the Council had any questions or comments regarding the motion. The Council then held discussion.

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

**Resolution No. 24-19**

**(A Resolution for a sign variance at 1916 28<sup>th</sup> AVE S)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 24-09. Councilor Geer 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 on a vote of 9-0-1. Councilor Hardin abstained.

The next item on the Agenda under Old Business was Item No. 18.01.24 – Request for permission for a tent in the City Right-of-Way in front of Trak Shak from February 23<sup>rd</sup> through February 25<sup>th</sup> – Councilor Andress.

Councilor Smith stated that the Special Issues Committee met on February 5, 2024 and voted 4-0 to recommend approval.

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

**Resolution No. 24-20**

**(A Resolution to permit a tent in the City Right-of-Way in front of Trak Shak from February 23<sup>rd</sup> through February 25<sup>th</sup>)**

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. 20.01.24 – Request for permission for facility use agreement for the plaza for Taste of Homewood – Meredith Drennen, Chamber of Commerce and J.J. Bishoff.

Councilor Smith stated that the Special Issues Committee met on February 5, 2024 and voted 4-0 to recommend approval.

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

**Resolution No. 24-21**

**(A Resolution to permit facility use agreement for the plaza for Taste of Homewood)**

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.

**COMMITTEE REFERRAL AGENDA**

- 01.02.24** Request for consideration of update from Sims Garden – **Amy Weis/Councilor Geer – Finance Committee**
- 02.02.24** Request for consideration of a street-light at Waverly and Avalon – **Councilor Andress – Finance and Public Safety Committees**
- 03.02.24** Request for consideration of a street-light at Browning Wall entrance – **Councilor Andress – Finance and Public Safety Committees**
- 04.02.24** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a sign variance at 2732 Central Ave – **Supertone/Christine Thornton/ Wyatt Pugh, Building Official – Special Issues Committee**
- 05.02.24** **Request to set a Public Hearing and referral the Planning and Development Committee** for re-consideration to rezone 1300 Columbiana Road (PID # 29-00-23-4-003-004.000, 29-00-24-3-008-001.000, & 23-00-24-3-008-002.000) from I-2 (Institutional District) to C-1 (Office Building District). Applicant: Eric Rogers/Progressive Properties, PLLC; Owner: Second Presbyterian Church to permit the construction of a 11,000 sq. ft., single-story medical office building; said proposed rezoning to exclude the southern portion of the subject property,

presently occupied by the Second Presbyterian Church, which will remain zoned I-2, Institutional District (The Planning Commission had a vote of 5-0-1 for a favorable recommendation) – **Cale Smith, PE – Planning and Development Committee**

Councilor Nelms moved to approve the Committee Referral 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.

### **OTHER NEW BUSINESS**

The next item on the Agenda under Other New Business was Item No. 06.02.24 – Request for consideration to authorize the Mayor to sign contract and pay FY 23-24 Budget Appropriation for Operation School Bell – J.J. Bischoff, Chief of Staff.

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

#### **Resolution No. 24-22**

**(A Resolution to authorize the Mayor to sign contract and pay FY 23-24 Budget Appropriation for Operation School Bell)**

Councilor Jones moved for the adoption and enrollment of Resolution No. 24-22. Councilor Gwaltney 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 on the Agenda under Other New Business was Item No. 07.02.24 – Request for consideration of a Tent Variance for Trinity United Methodist Church for Discovery Weekend – Councilor Smith.

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

#### **Resolution No. 24-23**

**(A Resolution to permit a Tent Variance for Trinity United Methodist Church for Discovery Weekend)**



Councilor Smith moved for the adoption and enrollment of Resolution No. 24-32. Councilor Gwaltney 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 on the Agenda under Other New Business was Item No. 08.02.24 – Request for consideration of approval of vouchers for period of January 30, 2024 through February 12, 2024 – Robert Burgett, Finance Director.

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

**Resolution No. 24-24**

**(A Resolution approving vouchers for period of January 30, 2024 through February 12, 2024)**

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 24-24. 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 on the Agenda under Other New Business was Item No. 05.02.24 – Request to set a Public Hearing for re-consideration to rezone 1300 Columbiana Road (PID # 29-00-23-4-003-004.000, 29-00-24-3-008-001.000, & 23-00-24-3-008-002.000) from I-2 (Institutional District) to C-1 (Office Building District). Applicant: Eric Rogers/Progressive Properties, PLLC; Owner: Second Presbyterian Church to permit the construction of a 11,000 sq. ft., single-story medical office building; said proposed rezoning to exclude the southern portion of the subject property, presently occupied by the Second Presbyterian Church, which will remain zoned I-2, Institutional District (The Planning Commission had a vote of 5-0-1 for a favorable recommendation) – Cale Smith, PE.

President Wyatt stated that the Public Hearing would be set for March 11, 2024 at 6:00 p.m.

President Wyatt stated that the Committees would meet on February 19, 2024 starting with the Finance Committee at 5:00 p.m. with Public Safety, Special Issues, and Planning and Development meeting immediately following the previous meeting. The Public Works Committee Meeting was not scheduled.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:48 p.m.