

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

**February 14, 2022**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, February 14, 2022 at City Hall at 6:00 p.m.

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

The meeting was called to order by President Wyatt at 6:03 p.m.

Upon Roll Call, the following were present: Andy Gwaltney, Melanie Geer, Carlos Alemán, 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; and Melody Salter, City Clerk; J.J. Bischoff, Chief of Staff; and Mayor Patrick McClusky.

At this time, Councilor Wolverton moved to dispense with the reading of the Minutes of the Special Called Council Meeting of January 31, 2022 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 Alemán moved to appoint Scott Alsabrook to the Ward 2 BZA position. Councilor Wolverton 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 Sims moved to appoint Dennis Jones to the Ward 3 Historic Preservation position. Councilor Jones seconded the motion.

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

On a voice vote, the motion carried without dissent.

At this time, President Wyatt added the following item to the Other New Business Agenda: Item No. 11.02.22 – Request for consideration of emergency funding for repair/replacement of a pipe collapse at Malaga and LaPrado – Berkley Squires, Public Works Director/J.J. Bischoff, Chief of Staff.

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

### **CONSENT AGENDA**

**None.**

### **OLD BUSINESS AGENDA**

The first item considered under Old Business, taken out of order, was Item No. 12.01.22 – Public Hearing set for February 14, 2022 at 6:00 p.m. for consideration to amend the final development plan at 2727 18<sup>th</sup> Street South (PID 28-00-07-3-014-013.000) and 1817 27<sup>th</sup> Avenue South (PID 28-00-07-3-014-001.000) (Valley Hotel). Applicant: Homewood Hotel, LLC Owner: Homewood Hotel, LLC & MAM Investments, LLC to update the Plan to reflect as-built conditoins (The Planning Commission had a vote of 8-0 (one absent) for a favorable recommendation of the amended development plan) – Wyatt Pugh.

President Wyatt stated that the Public Hearing would be continued until February 28, 2022 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 06.01.22 – Public Hearing set for February 14, 2022 at 6:00 p.m. for consideration of a sign variance at 2818 18th Street South – Andrew Tynes, Shaia's/Mammoth Murals / Wyatt Pugh, Building Department.

Councilor Smith stated that the Special Issues Committee met on February 7, 2022 and voted 5-0 to refer this item back to the full Council without recommendation pending the Public Hearing.

President Wyatt declared the Public Hearing opened at 6:12 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.

Andrew Tynes addressed the Council regarding this item.

President Wyatt declared the Public Hearing closed at 6:14 p.m.

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

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

**Resolution No. 22-18**

**(A Resolution for a sign variance at 2818 18th Street South for a 30 foot sign)**

Councilor Alemán moved for the adoption and enrollment of Resolution No. 22-18. 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.

The next item on the Agenda under Old Business was Item No. 07.01.22 – Public Hearing set for February 14, 2022 at 6:00 p.m. for consideration of a sign variance(s) at 2834 18th Street South – Mick Britton, Nadeau/Kingfisher Signs / Wyatt Pugh, Building Department.

Councilor Smith stated that the Special Issues Committee met on February 7, 2022 and voted 5-0 to refer this item back to the full Council without recommendation pending the Public Hearing.

President Wyatt declared the Public Hearing opened at 6:16 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.

Mick Britton of Kingfisher Signs and Graphics addressed the Council regarding this item.

The following residents then addressed the Council regarding this item: Carolyn Herr at 3108 Overton Road and Jessica Mackin at 203 Windsor Drive.

President Wyatt declared the Public Hearing closed at 6:24 p.m.

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

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

**Resolution No. 22-19**

**(A Resolution for a sign variance(s) at 2834 18th Street South)**

Councilor Geer moved for the adoption and enrollment of Resolution No. 22-19. Councilor Andress seconded the motion.

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 09.01.22 – Public Hearing set for February 28, 2022 at 6:00 p.m. for consideration to rezone 2916 Linden Avenue (PID 28-00-07-3-027-012.000) from C-1 (Office Building District) to C-4 (Central Business District): Applicant: Stracener Investment Company / Owner: Daniel and Chase Stracener to facilitate new commercial development (The Planning Commission had a vote of 6-2 (one absent) for a favorable recommendation of the rezone) – Wyatt Pugh – Planning and Development Committee.

President Wyatt stated that this item would be carried over for the Public Hearing set for February 28, 2022 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 10.01.22 – Public Hearing set for February 28, 2022 at 6:00 p.m. for consideration to rezone 3006 Cook Street (PID 28-00-07-3-032-003.000) from C-2 (Neighborhood Shopping District) to R-7 (Attached Dwelling Unit District): Applicant: John Abernathy, BRE Cook Street, LLC / Owner: BRE Cook Street, LLC (Blackwater Real Estate) to facilitate the construction of a six unit townhome development (The Planning Commission had a vote of 7-1 (one absent) for a favorable recommendation of the rezone) – Wyatt Pugh.

President Wyatt stated that this item would be carried over for the Public Hearing set for February 28, 2022 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 11.01.22 – Public Hearing set for February 28, 2022 at 6:00 p.m. for consideration to rezone 2821 Central Avenue (PID 28-00-07-3-023-009.001) from C-4 (Central Business District) to M-1 (Light Manufacturing District): Applicant: The City of Homewood / Owner: Taco Partners, LLC for those lots comprising the subject property that were unintentionally included in the re-zoning of the original parcel in December 2014 (Ordinance No. 2542) (The Planning Commission had a vote of 8-0 (one absent) for a favorable recommendation of the rezone) – Wyatt Pugh.

President Wyatt stated that this item would be carried over for the Public Hearing set for February 28, 2022 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 26.01.22 – Public Hearing set for February 28, 2022 at 6:00 p.m. for consideration for condemnation of the dwelling structure at 1681 Ashwood Lane – Wyatt Pugh, Building Department.

President Wyatt stated that this item would be carried over for the Public Hearing set for February 28, 2022 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 13.10.22 - Bid opening held on December 17 at 2:10p.m. at 2:00 p.m. for the Lancaster Sidewalk Project – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on February 7, 2022 and voted 4-0 to recommend approval from Southeastern Coating.

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

**Resolution No. 22-20**

**(A Resolution to accept bid for Lancaster Sidewalk Project from Southeastern Coating)**

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. 14.10.22 – Bid opening held on February 7, 2022 at 4:31 p.m. for the Saulter Sidewalk Project – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on February 7, 2022 and voted 4-0 to recommend approval.

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

**Resolution No. 22-21**

**(A Resolution to accept bid for the Saulter Sidewalk Project)**

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. 05.11.21 – Bid Opening held on January 24, 2021 at 4:45 p.m. (with bids due at 4:30 p.m.) for two stormwater pipe rehabilitation projects at LaPrado Place and Parkridge – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on February 7, 2022 and voted 4-0 to recommend approval to accept bid from Video Industrial Services.

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

**Resolution No. 22-22**

**(A Resolution to accept bid for two stormwater pipe rehabilitation projects at LaPrado Place and Parkridge from Video Industrial Services)**

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 08.01.22 – Bid Opening held on January 31, 2022 at 5:00 p.m. for demolition of 175 Citation Court – Berkley Squires, Public Works Director.

Councilor Jones stated that the Finance Committee met on February 7, 2022 and voted 4-0 to recommend approval to accept bid from Meredith Environmental.

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

**Resolution No. 22-23**

**(A Resolution to accept bid for demolition of 175 Citation Court from Meredith Environmental)**

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

Councilor Jones stated that the Finance Committee met on February 7, 2022 and voted 4-0 to recommend approval.

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

**Resolution No. 22-24**

**(A Resolution for approval of 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. 19.01.22 – Request for consideration of discontinuing contract with nCourt and using Government Portal credit card processor – John Morgan, Court Administrator/Chief Magistrate.

Councilor Jones stated that the Finance Committee met on February 7, 2022 and voted 4-0 to recommend approval.

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

**Resolution No. 22-25**

**(A Resolution for discontinuing contract with nCourt and using Government Portal credit card processor)**

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 20.01.22 – Request to authorize the Mayor to sign contract and pay FY 21-22 appropriation to ClasTran – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

Councilor Jones stated that the Finance Committee met on February 7, 2022 and voted 4-0 to recommend approval.

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

**Resolution No. 22-26**

**(A Resolution to authorize the Mayor to sign contract and pay FY 21-22 appropriation to ClasTran)**

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. 21.01.22 – Request to authorize landscape design services for Saulter Road Pocket Park – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on February 7, 2022 and voted 4-0 to recommend approval.

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

**Resolution No. 22-27**

**(A Resolution to authorize landscape design services for Saulter Road Pocket)**

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

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 02.12.21 – Request for consideration of Forest Brook sidewalk (Engineering and Design Work) on Forest Brook Drive from Forest Brook Circle to West Oxmoor Road via Shades Glen Drive and Delcris Drive – Councilors Alemán and Wolverton.

Councilor Jones stated that the Finance Committee met on February 7, 2022 and voted 4-0 to recommend approval.

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

**Resolution No. 22-28**

**(A Resolution approving Forest Brook sidewalk (Engineering and Design Work) on Forest Brook Drive from Forest Brook Circle to West Oxmoor Road via Shades Glen Drive and Delcris Drive)**

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. 29.01.22 – Request for consideration of adding gutters to 100 block of Yorkshire – Councilor Andress.

Councilor Jones stated that the Finance Committee met on February 7, 2022 and voted 4-0 to recommend approval.

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

**Resolution No. 22-29**

**(A Resolution for adding gutters to 100 block of Yorkshire)**

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. 04.01.22 – Request to add public parking at the old Homewood Police Station on 29<sup>th</sup> Avenue S, in the bay – Sue Graphos and Councilor Andress.

Councilor Gwaltney stated that the Public Safety Committee met on February 7, 2022 and voted 5-0 to recommend approval and referring this item to the Finance Committee.

The next item on the Agenda under Old Business was Item No. 23.01.22 – Request for consideration of Traffic Calming measures along South Forrest Drive – Councilor Sims.

Councilor Gwaltney stated that the Public Safety Committee met on February 7, 2022 and voted 5-0 to recommend approval of chicane with location to be determined.

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

**Resolution No. 22-30**

**(A Resolution for adding Traffic Calming Chicanes along South Forrest Drive)**

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. 24.01.22 – Request for consideration of tent variance for Trinity United Methodist Church – Councilor Smith.

Councilor Smith stated that the Special Issues Committee met on February 7, 2022 and voted 5-0 to recommend approval.

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

**Resolution No. 22-31**

**(A Resolution for a tent variance for Trinity United Methodist Church)**

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. 25.01.22 – Request for consideration to work in the right-of-way to place a temporary construction barrier on part of the public sidewalk during the demolition and renovation of the façade at 2808 18th Street South – John Tory, Circa Lighting / Wyatt Pugh, Inspections & Permits.

Councilor Wolverton stated that the Public Works Committee met on February 7, 2022 and voted 5-0 to recommend approval.

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

**Resolution No. 22-32**

**(A Resolution for approval to work in the right-of-way to place a temporary construction barrier on part of the public sidewalk during the demolition and renovation of the façade at 2808 18th Street South)**

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.

**COMMITTEE REFERRAL AGENDA**

- 01.02.22** Request to authorize Mayor to sign FY21-22 BJCTA contract and pay first two quarters – **Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk – Finance Committee**
- 02.02.22** Request for consideration of FY 21-22 Budget amendments – **Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk – Finance Committee**
- 03.02.22** Request for consideration to surplus miscellaneous items from Fleet Maintenance Department – **Gordon Jaynes, Fleet Maintenance – Finance Committee**
- 04.02.22** Request for consideration for Christmas Tree Project – **Councilor Nelms – Special Issues Committee**
- 05.02.22** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a front yard fence variance at 601 Oakmoor Drive – **Geoff and Emily Evans/Wyatt Pugh, Inspections and Permits – Special Issues Committee**
- 06.02.22** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration of Ordinance to adopt 2021 Building Codes – **Wyatt Pugh, Inspections and Permits – Planning and Development Committee**
- 07.02.22** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration of Ordinance to adjust

**Building Permits and Fees– Wyatt Pugh, Inspections and Permits –  
Planning and Development Committee**

Councilor Gwaltney 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. 05.02.22 – Request to set a Public Hearing for consideration of a front yard fence variance at 601 Oakmoor Drive – Geoff and Emily Evans/Wyatt Pugh, Inspections and Permits – Special Issues Committee.

President Wyatt stated that the Public Hearing would be set for March 14, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 06.02.22 – Request to set a Public Hearing for consideration of Ordinance to adopt 2021 Building Codes – Wyatt Pugh, Inspections and Permits – Planning and Development Committee.

President Wyatt stated that the Public Hearing would be set for March 14, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 07.02.22 – Request to set a Public Hearing for consideration of Ordinance to adjust Building Permits and Fees– Wyatt Pugh, Inspections and Permits – Planning and Development Committee.

President Wyatt stated that the Public Hearing would be set for March 14, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 08.02.22 – Request for consideration of an ABC 020 – Restaurant Retail Liquor license for Seafood King Inc LLC d/b/a Seafood King located at 180 State Farm Parkway – Melody Salter, CPA, City Clerk/Robert Burgett, Finance Director (Letter of No Objection Received from Fire).

Councilor Gwaltney moved to having no objection to the issuance of the ABC license pending letter of no objection from the Police Department. Councilor Sims 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. 09.02.22 – Request for consideration of an ABC 240 – Non-Profit Special Event Retail License for Homewood Chamber of Commerce d/b/a Taste of Homewood located at 2850 19<sup>th</sup> Street South (Homewood City Hall Plaza) – Melody Salter, CPA, City Clerk/Robert Burgett, Finance Director.

Councilor Hardin moved to having no objection to the issuance of the ABC license. 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. 10.02.22 – Request for consideration of approval of vouchers for period of February 1, 2022 through February 14, 2022 – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

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

**Resolution No. 22-33**

**(A Resolution for approval of vouchers for period of February 1, 2022 through February 14, 2022)**

Councilor Alemán moved for the adoption and enrollment of Resolution No. 22-33. Councilor Hardin seconded the motion.

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

On a voice vote, the motion carried without dissent.

The next item considered under Other New Business was Item No. 11.02.22 – Request for consideration of emergency funding for repair/replacement of a pipe collapse at Malaga and LaPrado – Berkley Squires, Public Works Director/J.J. Bischoff, Chief of Staff.

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

**Resolution No. 22-34**

**(A Resolution approving emergency funding for repair/replacement of a pipe collapse at Malaga and LaPrado)**

Councilor Jones moved for the adoption and enrollment of Resolution No. 22-34. 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.

President Wyatt stated that the Committees would meet on February 28, 2022 starting with the Finance Committee at 5:00 p.m. with the Public Safety, and Planning and Development Committees meeting immediately following the previous meeting. The Public Works and Special Issues Committees would not schedule meetings.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:02 p.m.