

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

**March 11, 2024**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, March 11, 2024 at City Hall at 6:00 p.m.

At this time, Deputy Chief Broadhead addressed the Council and stated that the Fire Department received a \$2,500 grant from the Jefferson County Communication Fund which would fund electric vehicle fire blankets.

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

The meeting was called to order by President Wyatt at 6:13 p.m.

Upon Roll Call, the following were present: Andy Gwaltney, Melanie Geer, Carlos Alemán, Andrew Wolverton, Nick Sims, Barry Smith, 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: Walter Jones and Jalete Nelms.

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Council Meeting of February 26, 2024 and approve them as presented. 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.

At this time, Councilor Geer moved to appoint Allison Crawford to an At-Large position of the Arts Council. Councilor Smith seconded the motion.

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

On a voice vote, the motion carried without dissent.

Councilor Geer moved to appoint Mollie McFarland to an At-Large position of the Arts Council. Councilor Smith seconded the motion.

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

On a voice vote, the motion carried without dissent.

Councilor Geer moved to appoint Natalie Pruitt to the Ward 4 position of the Arts Council. Councilor Smith seconded the motion.

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

On a voice vote, the motion carried without dissent.

Councilor Geer moved to appoint Jane Nail to the Ward 5 position of the Arts Council. Councilor Andress seconded the motion.

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

On a voice vote, the motion carried without dissent.

President Wyatt then offered a reminder that the application period for two Ward 1 Beautification Board positions; the Ward 2 BZA position; and the Ward 4 Park Board position were open until March 25, 2024 at 4:30 p.m.

Councilor Gwaltney moved for the approval of the Council Agenda. Councilor Alemán 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. 20.06.23 – Request for consideration of City Manager – Mayor Patrick McClusky (Carried Over 2/26/24).

Councilor Andress moved to drop this item but keep it carried over in Committee. 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 Old Business was Item No. 09.02.24 – Request for consideration of budget amendments FY 23-24 (City Clerk Contractual Services/Iron Mtn & Traffic Dept /Vehicle Expense) – **Randy Hambley, Traffic Dept. / Robert Burgett, Finance Director**

Councilor Smith stated that the Finance Committee met on March 4, 2024 and voted 3-0 to recommend approval of budget amendment for Traffic Department Vehicle Expense. Councilor Smith further stated that the Contractual Services/Iron Mountain item was not discussed and would remain in Finance Committee.

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

**Resolution No. 24-30**

**(A Resolution approving budget amendments FY 23-24 for traffic department vehicle expense)**

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. 10.02.24 – Request for consideration to amend the city's agreement with Tyler Technologies to provide an online civic access permitting portal and paperless plan review and permitting system – Wyatt Pugh, Building Official.

Councilor Smith stated that the Finance Committee met on March 4, 2024 and voted 4-0 to recommend approval of budget amendments and transfers and then voted 4-0 to recommend approval of the Mayor signing the amended contract.

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

**Resolution No. 24-31**

**(A Resolution approving budget amendments and transfers)**

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.

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

**Resolution No. 24-32**

**(A Resolution approving the Mayor to sign amended Tyler Technology Contract)**

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. 11.02.24 – Request to set Bid Opening Date for Fire Facilities Maintenance Bid – Deputy Chief Broadhead, Fire Department.

Councilor Smith stated that the Finance Committee met on March 4, 2024 and voted 4-0 to recommend setting the Bid Date for April 22, 2024.

President Wyatt stated that the Bid Date would be set for April 22, 2024.

The next item on the Agenda under Old Business was Item No. 12.02.24 – Request for consideration for Special Event Liquor License at the Homewood Public Library – Michelle Hamrick / J.J. Bischoff.

Councilor Gwaltney stated that the Public Safety Committee met on March 4, 2024 and voted 4-0 for having no objection to the issuance of the Special Event Liquor 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. 04.02.24 – Public Hearing set for March 11, 2024 at 6:00 p.m. for consideration of a sign variance at 2732 Central Ave – Supertone/Christine Thornton/ Wyatt Pugh, Building Official.

Councilor Smith stated that the Special Issues Committee met on February 19, 2024 and voted 5-0 to set the Public Hearing for March 11, 2024 at 6:00 p.m. and to refer this item to the full Council without recommendation pending the Public Hearing.

President Wyatt declared the Public Hearing opened at 6:22 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.

Augusta Cole and Christine Thornton addressed the Council regarding this item.

President Wyatt declared the Public Hearing closed at 6:24 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. 24-33**

**(A Resolution for a sign variance at 2732 Central Avenue)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 24-33. 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.

The next item on the Agenda under Old Business was Item No. 13.02.24 – Request to set a Public Hearing for consideration of a sign variance at 1706 Oxmoor Road – Ginny Leavens, Goodies Toy Store / Wyatt Pugh, Building Official.

Councilor Smith stated that the Special Issues Committee met on March 4, 2024 and voted 5-0 to set the Public Hearing for March 25, 2024 at 6:00 p.m. and to refer this item to the full Council without recommendation pending the Public Hearing.

President Wyatt stated that the Public Hearing would be set for March 25, 2024 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 05.02.24 – Public Hearing set for March 11, 2024 at 6:00 p.m. 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.

Councilor Gwaltney stated that the Planning and Development Committee met on February 19, 2024 and voted 4-0-1 to set the Public Hearing for March 11, 2024 at 6:00

p.m. and to refer this item 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.

Melinda Sellers and Chad Stogner addressed the Council regarding this item.

President Wyatt declared the Public Hearing closed at 6:35 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 first reading of the proposed Ordinance for the Council's consideration at 6:39 p.m.:

**Ordinance No.**

**(An Ordinance 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))**

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. 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 roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Sims, Smith, 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. 2892**

**(An Ordinance 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))**

Councilor Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2892. Councilor Geer seconded the motion.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Sims, Smith, Hardin, and Wyatt. Abstained: Councilor Andress

The motion carried without dissent.

## COMMITTEE REFERRAL AGENDA

- 01.03.24** Request to declare the following items surplus: (2014 Chevrolet Tahoe (VIN 1GNLC2E01ER202400); 2003 Ford F-150 (VIN 1FTRX18L83NA77424); and various Fire Dept. municipal items) – **Joseph Blake Graves, Fleet Maintenance / Deputy Chief Broadhead, Fire Dept. – Finance Committee**
- 02.03.24** Request for consideration of budget amendments FY 23-24 (Tree Removal and Overtime from Tornado) – **Berkley Squires, Public Services; Judith Wright, Library/ Cale Smith, Engineering / Robert Burgett, Finance Director – Finance Committee**
- 03.03.24** Request for authorization to repeal Ordinance No. 2813 – Flood Damage Prevention Ordinance and replace with Floodplain Development Ordinance (as required by FEMA) –**Cale Smith, PE – Planning and Development Committee**
- 04.03.24** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration of an amendment to the Final Development Plan for Samford University, 800 Lakeshore Drive (Site Address 849 Montague Drive) (PID # 28-00-18-3-001-009.003) to permit the proposed construction of a new three-story addition to the existing North Parking Deck that would expand the current structure and add an additional 550 parking spaces as a means to accommodate the University's on-campus parking needs. (The Planning Commission had a vote of 5-0 for a favorable recommendation) – **Cale Smith, PE – Planning and Development Committee**

Councilor Smith moved to approve the Committee Referral Agenda. 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 without dissent.

## **OTHER NEW BUSINESS**

The next item on the Agenda under Other New Business was Item No. 04.03.24 – Request to set a Public Hearing for consideration of an amendment to the Final Development Plan for Samford University, 800 Lakeshore Drive (Site Address 849 Montague Drive) (PID # 28-00-18-3-001-009.003) to permit the proposed construction of a new three-story addition to the existing North Parking Deck that would expand the current structure and add an additional 550 parking spaces as a means to accommodate the University’s on-campus parking needs. (The Planning Commission had a vote of 5-0 for a favorable recommendation) – Cale Smith, PE.

President Wyatt stated that the Public Hearing would be set for April 22, 2024 and 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 05.03.24 – Mayor’s update on AmWaste pickup services – Mayor Patrick McClusky.

Mayor McClusky addressed the Council regarding this item.

Councilor Wolverton moved to accept the report. Councilor Alemán 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. 06.03.24 – Request for consideration to authorize the Mayor to sign contract and pay FY 23-24 Budget Appropriation for Thunder on the Mountain 2024 – J.J. Bischoff, Chief of Staff.

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

### **Resolution No. 24-34**

**(A Resolution to authorize the Mayor to sign contract and pay FY 23-24 Budget Appropriation for Thunder on the Mountain 2024)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 24-34. 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. 07.03.24 – Request for consideration of an ABC 020 – Restaurant Retail Liquor – License for FM Homewood LLC dba Frothy Monkey located at 930 Oxmoor Road – Bo Seagrist, Assistant City Clerk.

Councilor Gwaltney moved for having no objection to the issuance of the ABC License pending letters of no objection from the Fire and Police Departments. 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.

The next item on the Agenda under Other New Business was Item No. 08.03.24 – Request for consideration of approval of vouchers for period of February 27, 2024 through March 11, 2024 – Robert Burgett, Finance Director.

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

**Resolution No. 24-35**

**(A Resolution for approval of vouchers for period of February 27, 2024 through March 11, 2024)**

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 24-35. 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 March 4, 2024 starting with the Finance Committee at 5:00 p.m. with Planning and Development, immediately following the previous meeting. The Public Safety, Public Works, and Special Issues Committee Meetings were not scheduled.

**ANNOUNCEMENTS**

Mayor McClusky stated that the Homewood Athletic Cornhole Event would be held on the Plaza on Sunday, March 17, 2024 and the Taste of Homewood would be held on March 21, 2024.

Councilor Wolverton stated that Street Safety Day would be held on April 12, 2024 and the Hall Kent Talent Show would be Friday, March 15, 2024.

Councilor Sims stated that the Bell Center 5K would be held on March 16, 2024.

Councilor Andress congratulated Councilor Alemán for being awarded the Albert Schweitzer Fellowship Humanitarian of the Year.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:03 p.m.