

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

**March 27, 2023**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, March 27, 2023 at City Hall at 6:00 p.m.

The invocation was given by Robert Burgett, Finance Director, after which the pledge of allegiance was given.

The meeting was called to order by President Wyatt at 6:02 p.m.

Upon Roll Call, the following were present: Melanie Geer, Barry Smith, Jalet 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; Mayor Patrick McClusky, and Melody Salter, City Clerk. Absent: Andy Gwaltney, Carlos Alemán, Andrew Wolverton, Nick Sims, and Walter Jones.

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Council Meeting of March 13, 2023 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.

President Wyatt stated that interviews would be set for the At-Large Park Board position for April 6, 2023 starting at 5:15 p.m.

President Wyatt stated that the application period for the Ward 2 Beautification Board position would be re-opened until April 24, 2023 at 4:30 p.m.

President Wyatt then stated that the application period for the Ward 5 Abatement Board position would be opened until April 24, 2023 at 4:30 p.m. and the Ward 4 Board of Education position would be opened until April 10, 2023 at 4:30 p.m.

Councilor Smith moved for the approval of the published 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.

## **CONSENT AGENDA**

**12.01.23**      **Bid Opening held on March 13, 2023 at 4:30 p.m.** bids for the Delcris Sidewalk Project – Phase 1 – **Cale Smith, PE (Carried Over 3/6/23 for bid opening)**

**Action Taken: The Finance Committee met on March 20, 2023 and voted 3-0 to recommend dropping this item. The motion was made by Councilor Smith and seconded by Councilor Hardin.**

**17.02.23**      Request for permission to work in the Right-of-Way at the American Legion building at 4 Hollywood Blvd – **Councilor Andress (Carried Over and Referred to Finance Committee 3/6/23)**

**Action Taken: The Public Works Committee met on March 20, 2023 and voted 5-0 to recommend dropping this item. (This item was also Tabled in Finance). The motion was made by Councilor Hardin and seconded by Councilor Sims.**

Councilor Nelms moved for the approval of the Consent 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.

## **OLD BUSINESS AGENDA**

The first item on the Agenda under Old Business was Item No. 02.03.23 – Request to amend contract with CB&A Construction, LLC for Mecca Avenue Sidewalk Project – Cale Smith, PE.

Councilor Smith stated that the Finance Committee met on March 20, 2023 and voted 3-0 to recommend approval.

Councilor Wolverton entered the Council Chambers at 6:07 p.m.

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

### **Resolution No. 23-41**

**(A Resolution to amend contract with CB&A Construction, LLC for Mecca Avenue 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. 03.03.23 – Request to authorize the Mayor to sign uniform contract with Cintas – Gordon Jaynes, Fleet Maintenance.

Councilor Smith stated that the Finance Committee met on March 20, 2023 and voted 3-0 to recommend approval.

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

**Resolution No. 23-42**

**(A Resolution to authorize the Mayor to sign uniform contract with Cintas)**

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. 04.03.23 – Request to authorize the Mayor to sign contract with United Way/Meals on Wheels and pay FY 22-23 appropriation – Trish Hoover, United Way / Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

Councilor Smith stated that the Finance Committee met on March 20, 2023 and voted 3-0 to recommend approval.

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

**Resolution No. 23-43**

**(A Resolution to authorize the Mayor to sign contract with United Way/Meals on Wheels and pay FY 22-23 appropriation)**

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. 06.03.23 – Request permission to alter traffic on Kenilworth for Jefferson County Sanitary Sewer rehabilitation – Hazen Sawyer, Jefferson County / Cale Smith, PE.

Councilor Hardin stated that the Public Safety Committee met on March 20, 2023 and voted 4-0 to recommend approval.

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

**Resolution No. 23-44**

**(A Resolution to alter traffic on Kenilworth for Jefferson County Sanitary Sewer rehabilitation)**

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. 09.03.23 – Request for permission to work in the right-of-way adjacent to 924, 926, and 930 Oxmoor Road – Matt Shelby, Shelby Contractors / Wyatt Pugh, Permits and Inspections Department.

Councilor Hardin stated that the Public Works Committee met on March 20, 2023 and voted 4-0 to recommend approval.

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

**Resolution No. 23-45**

**(A Resolution to work in the right-of-way adjacent to 924, 926, and 930 Oxmoor 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. 10.03.23 – Request for consideration of agreement for use of SOHO Plaza – David Horn, SOHO Social & Social Taco / President Wyatt.

Councilor Smith stated that the Special Issues Committee met on March 20, 2023 and voted 5-0 to recommend approval of \$100.00 per year for regular events and \$100.00 per special event with 30 days' notice provided for special events.

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

**Resolution No. 23-46**

**(A Resolution for an agreement for use of SOHO Plaza)**

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. 11.03.23 – Public Hearing set for April 10, 2023 at 6:00 p.m. for consideration of a sign variance at 600 University Park Place – David Brandt, Fravert / Wyatt Pugh, Permits and Inspections Department.

Councilor Smith stated that the Special Issues Committee met on March 20, 2023 and voted 5-0 to refer this item to the full Council without recommendation pending the Public Hearing.

President Wyatt stated that this item would be carried over for the Public Hearing set for March 20, 2023 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 12.03.23 – Public Hearing set for April 24, 2023 at 6:00 p.m. for consideration to approve a Text Amendment to the City's Zoning Ordinance for West Homewood District (The Planning Commission had a vote of 9-0 for a favorable recommendation) – Cale Smith.

Councilor Andress stated that the Planning and Development Committee met on March 20, 2023 and voted 4-0 to refer this item to the full Council without recommendation pending the Public Hearing.

President Wyatt stated that this item would be carried over for the Public Hearing set for April 24, 2023 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 13.03.23 – Public Hearing set for April 24, 2023 at 6:00 p.m. for consideration to approve a Final Development Plan for 195 Oxmoor Road / 536 Cobb Street (PID # 29-00-23-2-003-

002.000) / (PID # 29-00-23-2-003-030.000. Applicant: Village Creek Development/Owner: Village Creek Development & SHA, LLC for the proposed redevelopment of the Econo Lodge motel property as the site of a new, mixed-use development comprising a combination of residential and retail uses. (The Planning Commission had a vote of 9-0 for a favorable recommendation) – Cale Smith.

Councilor Andress stated that the Planning and Development Committee met on March 20, 2023 and voted 4-0 to refer this item to the full Council without recommendation pending the Public Hearing.

President Wyatt stated that this item would be carried over for the Public Hearing set for April 24, 2023 at 6:00 p.m.

### **COMMITTEE REFERRAL AGENDA**

- 18.03.23** Request for permission to authorize Mayor to sign funding agreement for Central Avenue TAP Grant Project – **Cale Smith, PE – Finance Committee**
- 19.03.23** Request for permission to authorize Mayor to sign agreement and resolution for the transfer of ownership and maintenance of road segment along Forest Brook Drive– **Cale Smith, PE – Finance Committee**
- 20.03.23** Request to accept community grant for outdoor shading in Homewood and amend FY 22-23 Grants Fund Budget – **Councilors Andress and Jones / Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk – Finance Committee**
- 21.03.23** Request to accept grant and amend FY 22-23 Grants Fund Budget for Police grant – **Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk – Finance Committee**
- 22.03.23** Request to amend Green Springs Highway ad Design Agreement with Kimley-Horn – **Berkley Squires, Public Works Director – Finance Committee**
- 23.03.23** Request to accept the 2023 BCBS Alabama Campaign Grant of \$50,000.00 – **Councilors Smith and Andress – Finance Committee**
- 24.03.23** Request for permission to install a pedestrian crosswalk at Valley Avenue and Beckham drive – **Cale Smith, PE – Public Safety Committee**

**25.03.23** Request for permission to install bulb outs and rectangular rapid flashing beacons (RRFBs) at Shades and Broadway – **Cale Smith, PE – Public Safety Committee**

**26.03.23** Request for permission to sign an indemnification agreement for work performed in the right-of-way at 610 Broadway – **Cale Smith, PE – Public Works Committee**

Councilor Nelms moved to approve the amended Committee Referral Agenda. 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.

### **OTHER NEW BUSINESS**

The next item on the Agenda under Other New Business was Item No. 27.03.23 – Request to authorize the Mayor to sign the Storm Water Management Plan – Wyatt Pugh, Permits and Inspections Department.

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

#### **Resolution No. 23-47**

**(A Resolution to authorize the Mayor to sign the Storm Water Management Plan)**

Councilor Hardin moved for the adoption and enrollment of Resolution No. 23-47. 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.

The next item on the Agenda under Other New Business was Item No. 28.03.23 – Request to authorize the use of First Horizon Bank as a bank depository of the City and authorize signatures of Mayor or Council President and City Treasurer and City Clerk to replace Iberia Bank – Robert Burgett, Finance Director.

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

#### **Resolution No. 23-48**

**(A Resolution to authorize the use of First Horizon Bank as a bank depository of the City and authorize signatures of Mayor or Council President and City Treasurer and City Clerk to replace Iberia Bank)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 23-48. 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 Other New Business was Item No. 29.03.23 – Request for consideration of approval of vouchers for period of March 14, 2023 through March 27, 2023 – 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. 23-49**

**(A Resolution for approval of vouchers for period of February 28, 2023 through March 13, 2023)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 23-49. 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 stated that the Finance Committee would meet on April 3, 2023 at 5:00 p.m. with Public Works and Public Safety Committees meeting immediately following the previous meeting. The Special Issues and Planning and Development Committees were not scheduled to meet on April 3, 2023.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:25 p.m.