

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

March 28, 2022

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, March 28, 2022, at City Hall at 6:00 p.m.

At this time, Brian Christine, candidate for Alabama State Senate, District 15, addressed the Council regarding his campaign.

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 6:05 p.m.

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

At this time, Councilor Alemán moved to dispense with the reading of the Minutes of the Council Meeting of March 14, 2022 and approve them as presented. 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.

At this time President Wyatt stated that the Ward 3 Park Board application period would be opened until April 11, 2022 at 4:30 p.m.; the At-Large Arts Council application period would be opened until April 25, 2022 at 4:30 p.m., and the Homewood Environmental Council At-Large as well as Wards 2 and 4 application periods would be opened until April 25, 2022 at 4:30 p.m.

Councilor Smith moved to re-appoint Philip Hodges to the Ward 1 Park Board position. 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.

At this time, President Wyatt amended the published Council Agenda to add the following item to the Committee Referral Agenda: Item No. 27.03.22 – Request for consideration to add way-finding signage in the northern section of downtown – President Wyatt/Councilors Andress, Geer, Gwaltney & Sims – Public Safety Committee.

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

CONSENT AGENDA

03.12.21 Request for consideration for specific enforcement option for the City of Homewood residential occupancy ordinance – **Councilor Gwaltney (Carried Over 2/28/22)**

Action Taken: The Public Safety Committee met on March 21, 2022 and voted 4-0 to recommend dropping this item. The motion was made by Councilor Jones and seconded by Councilor Hardin.

22.01.22 Request for consideration of Forest Brook traffic calming project on Forest Brook Drive from Forest Brook Circle to West Oxmoor Road via Shades Glen Drive and Delcris Drive – **Councilors Alemán and Wolverton (Carried Over 2/28/22)**

Action Taken: The Public Safety Committee met on March 21, 2022 and voted 5-0 to recommend dropping this item. The motion was made by Councilor Jones and seconded by Councilor Wolverton.

Councilor Smith moved for the approval of the amended Consent 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.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 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 (Carried Over 3/14/22).

President Wyatt stated that this item would be carried over.

The next item on the Agenda under Old Business was Item No. 02.03.22 – Request to fund GIS Specialist position and amend FY 21-22 Budgets – Mayor McClusky/Chief Hill, Deputy Chief Broadhead.

Councilor Smith stated that the Finance Committee met on March 21, 2022 and voted 5-0 to recommend approval.

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

Resolution No. 22-45

(A Resolution to fund GIS Specialist position and amend FY 21-22 Budgets)

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. 03.03.22 – Request for permission to work in the ROW to remove unwanted tree at 625 Hambaugh Ave – Raj Vachhani, Owner/Wyatt Pugh, Inspections & Permits.

Councilor Nelms stated that the Public Works Committee met on March 21, 2022 and voted 5-0 to recommend approval with proper indemnification agreement.

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

Resolution No. 22-46

(A Resolution to work in the ROW to remove unwanted tree at 625 Hambaugh Ave)

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. 04.03.22 – Request for permission to work in the ROW and bore under State Farm Parkway for a domestic and fire water line tap – Cale Smith, PE.

Councilor Nelms stated that the Public Works Committee met on March 21, 2022 and voted 5-0 to recommend approval with proper indemnification agreement.

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

Resolution No. 22-47

(A Resolution to work in the ROW and bore under State Farm Parkway for a domestic and fire water line tap)

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 05.03.22 – Request to install Traffic Calming measures along Morris Boulevard and Sterrett Ave– Cale Smith, PE.

Councilor Gwaltney stated that the Public Safety Committee met on March 21, 2022 and voted 4-0 to recommend referring this item to the Finance Committee.

President Wyatt stated that as per the Public Safety Committee's recommendation, this item would be referred to the Finance Committee.

The next item on the Agenda under Old Business was Item No. 06.03.22 – Request for consideration of crosswalk at Ventura / LaPrado – Jon and Abby Mann / Councilor Andress.

Councilor Gwaltney stated that the Public Safety Committee met on March 21, 2022 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 6:17 p.m.:

Ordinance No.

(An Ordinance for a crosswalk at Ventura / LaPrado)

Councilor Andress 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, Sims, 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. 2831

(An Ordinance for a crosswalk at Ventura / LaPrado)

Councilor Andress moved for the enrollment and adoption and publication according to law of Ordinance No. 2831. 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, Alemán, Sims, Smith, Nelms, Andress, Hardin, and Wyatt.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 07.03.22 – Public Hearing set for April 11, 2022 at 6:00 p.m. for consideration of declaring the property located at 102 Greensprings Hwy (PID 29-00-14-2-007-002.000) a public nuisance due to a violation of Ordinance 1098 “Litter on Private Property” – Scott Cook, Code Enforcement, Inspections Department.

President Wyatt stated that this item would be carried over for the Public Hearing set for April 11, 2022 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 08.03.22 – Public Hearing set for March 28, 2022 at 6:00 p.m. for consideration of sign variance(s) at 159 State Farm Parkway - Ginger Hickey, Pro Signs/Taco Bell / Wyatt Pugh, Building Department.

Councilor Smith stated that the Special Issues Committee met on March 21, 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 6:21 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.

Wyatt Pugh addressed the Council regarding this item.

President Wyatt declared the Public Hearing closed at 6:22 p.m.

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

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

Resolution No. 22-48

(A Resolution for sign variance(s) at 159 State Farm Parkway)

Councilor Andress moved for the adoption and enrollment of Resolution No. 22-48. 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 Old Business was Item No. 09.03.22 – Public Hearing set for April 11, 2022 at 6:00 p.m. for consideration to rezone 3450 Manor Drive (PID 28-00-18-1-014-025.000) from R-5 (Attached Dwelling Unit District) to R-6 (Attached Dwelling Unit District): Applicant/Owner: LMS – Brookwood Property, LP as a means to correct and mitigate the current legal, non-conforming status of the property (based on the number of units on the site and other development criteria) to a more appropriate and higher density zoning classification in conjunction with a required, companion Development Plan (The Planning Commission had a vote of 5-0-1 (3 absent, 1 abstained) for a favorable recommendation of the rezone) – Cale Smith.

President Wyatt stated that this item would be carried over for the Public Hearing set for April 11, 2022 at 6:00 p.m.

COMMITTEE REFERRAL AGENDA

- 14.03.22** Request for consideration of funding signage for the World Games to be shared with City of Mountain Brook– **Mayor McClusky and Councilor Jennifer Andress – Finance Committee**
- 15.03.22** Request to amend FY 21-22 Budgets – **Berkley Squires/Public Services Director, Robert Burgett/Finance Director, and Melody Salter/City Clerk – Finance Committee**
- 16.03.22** Request for consideration for emergency purchase of one sanitation truck and amendment to FY 21-22 Budgets – **Berkley Squires/Public Services Director – Finance Committee**
- 17.03.22** Request for consideration to surplus items no longer needed for general municipal purposes – **Debbie Fout/Library Director – Finance Committee**

- 18.03.22** Request to add directional signage to the Post Office alleyway – **Councilor Gwaltney– Public Safety and Finance Committees**
- 19.03.22** Request to consider traffic calming updates for existing projects – **Councilors Alemán and Wolverton– Public Safety and Finance Committee**
- 20.03.22** Request for permission to work in the City Right-of-Way and install pipe under Oxmoor Road for 596 Forest Drive – **Cale Smith, City Engineer– Public Works Committee**
- 21.03.22** **Request to set a Public Hearing and referral to the Public Safety Committee** for consideration for condemnation of the dwelling structure at 2757 BM Montgomery Street – **Wyatt Pugh, Building Department – Public Safety Committee**
- 22.03.22** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of sign variance at 2834 18th Street South – **Mick Britton, Nadeau/Kingfisher Signs / Wyatt Pugh, Building Department – Special Issues Committee**
- 23.03.22** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a secondary front yard fence variance at 625 Hambaugh Avenue – **Raj Vachhani & Natasha Mehra, Owners / Wyatt Pugh, Building Department – Special Issues Committee**
- 24.03.22** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of front yard fence variance at 101 Acton Avenue – **Kirby D. Faris / Wyatt Pugh, Building Department – Special Issues Committee**
- 27.03.22** Request for consideration to add way-finding signage in the northern section of downtown – **President Wyatt/Councilors Andress, Geer, Gwaltney & Sims–Public Safety Committee**

Councilor Hardin moved to approve the amended Committee Referral 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.

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No. 21.03.22 – Request to set a Public Hearing for consideration for condemnation of the dwelling structure at 2757 BM Montgomery Street – Wyatt Pugh, Building Department – Public Safety Committee.

President Wyatt stated that the Public Hearing would be set for April 25, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 22.03.22 – Request to set a Public Hearing for consideration of sign variance at 2834 18th Street South – Mick Britton, Nadeau/Kingfisher Signs / Wyatt Pugh, Building Department.

President Wyatt stated that the Public Hearing would be set for April 11, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 23.03.22 – Request to set a Public Hearing consideration of a secondary front yard fence variance at 625 Hambaugh Avenue – Raj Vachhani & Natasha Mehra, Owners / Wyatt Pugh, Building Department.

President Wyatt stated that the Public Hearing would be set for April 11, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 24.03.22 – Request to set a Public Hearing for consideration of front yard fence variance at 101 Acton Avenue – Kirby D. Faris / Wyatt Pugh, Building Department – Special Issues Committee.

President Wyatt stated that the Public Hearing would be set for April 11, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 25.03.22 – Request for appoint one Council member as the official Voting Delegate for the Alabama League of Municipality’s Annual Business Meeting at the Annual Convention in Tuscaloosa, AL – Council President Wyatt and Melody Salter, CPA, City Clerk.

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

Resolution No. 22-49

(A Resolution to appoint one Council member, Walter Jones, as the official Voting Delegate for the Alabama League of Municipality’s Annual Business Meeting at the Annual Convention in Tuscaloosa, AL)

Councilor Smith moved for the adoption and enrollment of Resolution No. 22-49. 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 on the Agenda under Other New Business was Item No. 26.03.22 – Request for consideration of approval of vouchers for period of March 15, 2022 through March 28, 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. 22-50

(A Resolution for approval of vouchers for period of March 15, 2022 through March 28, 2022)

Councilor Alemán moved for the adoption and enrollment of Resolution No. 22-50. 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 April 4, 2022, starting with the Finance Committee at 5:00 p.m. with the Public Safety, Public Works, Special Issues, and Planning and Development Committees meeting immediately following the previous meeting.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:00 p.m.