

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

April 10, 2023

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, April 10, 2023 at City Hall at 6:00 p.m.

The invocation was given by Melody Salter, City Clerk, 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, Andrew Wolverton, Nick Sims, Walter Jones, Barry Smith, Jaletel 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: Carlos Alemán.

President Wyatt stated that the reading of the Minutes of the March 27, 2023 Council Meeting would be carried over.

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.

Councilor Smith moved to re-appoint Todd Minor to the At-Large Park Board 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 interviews would be set for Ward 4 Board of Education position for April 18, 2023 starting at 5:00 p.m.

At this time, President Wyatt amended the published Council Agenda to move Item No. 26.03.23 from the Consent Agenda for referral back to the Public Works Committee.

Councilor Wolverton moved for the approval of the amended 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

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

Action Taken: The Public Safety Committee met on April 3, 2023 and voted 5-0 to recommend dropping this item. The motion was made by Councilor Wolverton and seconded by Councilor Hardin.

Councilor Wolverton moved for the approval of the amended Consent Agenda. 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.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 05.03.23 – Request to authorize the Mayor to sign contract with Birmingham/Jefferson County Transit Authority (BJCTA) for FY 22-23 – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

Councilor Jones stated that the Finance Committee met on April 3, 2023 and voted 5-0 to recommend approval.

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

Resolution No. 23-50

(A Resolution to authorize the Mayor to sign contract with Birmingham/Jefferson County Transit Authority (BJCTA) for FY 22-23)

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. 18.03.23 – Request for permission to authorize Mayor to sign funding agreement for Central Avenue TAP Grant Project – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on April 3, 2023 and voted 5-0 to recommend approval.

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

Resolution No. 23-51

(A Resolution to authorize Mayor to sign funding agreement for Central Avenue TAP Grant 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. 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.

Councilor Jones stated that the Finance Committee met on April 3, 2023 and voted 5-0 to recommend approval.

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

Resolution No. 23-52

(A Resolution to authorize Mayor to sign agreement and resolution for the transfer of ownership and maintenance of road segment along Forest Brook 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. 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.

Councilor Jones stated that the Finance Committee met on April 3, 2023 and voted 5-0 to recommend approval.

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

Resolution No. 23-53

(A Resolution to accept community grant for outdoor shading in Homewood and amend FY 22-23 Grants Fund Budget)

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. 21.03.23 – 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.

Councilor Jones stated that the Finance Committee met on April 3, 2023 and voted 5-0 to recommend approval.

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

Resolution No. 23-54

(A Resolution to accept grant and amend FY 22-23 Grants Fund Budget for Police grant)

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. 22.03.23 – Request to amend Green Springs Highway and Design Agreement with Kimley-Horn – Berkley Squires, Public Works Director.

Councilor Jones stated that the Finance Committee met on April 3, 2023 and voted 5-0 to recommend approval.

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

Resolution No. 23-55

(A Resolution to amend Green Springs Highway and Design Agreement with Kimley-Horn)

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. 23.03.23 – Request to accept the 2023 BCBS Alabama Campaign Grant of \$50,000.00 – Councilors Smith and Andress.

Councilor Jones stated that the Finance Committee met on April 3, 2023 and voted 5-0 to recommend approval.

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

Resolution No. 23-56

(A Resolution to accept the 2023 BCBS Alabama Campaign Grant of \$50,000)

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. 05.02.23 – Request for discussion of changes to the traffic calming installation on Morris Blvd. – Councilor Sims.

Councilor Gwaltney stated that the Public Safety Committee met on April 3, 2023 and voted 5-0 to recommend approval of rescinding Ordinance No. 2833 and carry over in Committee for further changes.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:29 p.m.:

Ordinance No.

(An Ordinance rescinding Ordinance No. 2833)

Councilor Hardin moved for the unanimous consent of the proposed Ordinance as read. 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 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. 2863

(An Ordinance rescinding Ordinance No. 2833)

Councilor Andress moved for the enrollment and adoption and publication according to law of Ordinance No. 2863. Councilor Nelms 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. 24.03.23 – Request for permission to install a pedestrian crosswalk at Valley Avenue and Beckham drive – Cale Smith, PE.

Councilor Gwaltney stated that the Public Safety Committee met on April 3, 2023 and voted 5-0 to recommend approval.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:32 p.m.:

Ordinance No.

(An Ordinance to install a pedestrian crosswalk at Valley Avenue and Beckham drive)

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. 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 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. 2864

(An Ordinance to install a pedestrian crosswalk at Valley Avenue and Beckham drive)

Councilor Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2864. Councilor Geer 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. 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.

President Wyatt declared the Public Hearing opened at 6:35 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 and David Brandt addressed the Council regarding this item.

President Wyatt then declared the Public Hearing closed at 6:36 p.m.

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

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

Resolution No. 23-57

(A Resolution for a sign variance at 600 University Park Place)

Councilor Sims moved for the adoption and enrollment of Resolution No. 23-57. 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. 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.

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.

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

- 01.04.23** Request to authorize the Mayor to sign contract with The Assistance League of Birmingham and pay FY 22-23 appropriation – **J.J. Bischoff, Chief of Staff – Finance Committee**
- 02.04.23** Request to participate in programs with the Lakeshore Foundation – **Jeff Underwood / J.J. Bischoff, Chief of Staff – Finance Committee**
- 03.04.23** Request to amend FY 22-23 Budget for Street Department – **Berkley Squires/Public Works Director– Finance Committee**
- 04.04.23** Request for consideration to fund two Litter Gitters – **Berkley Squires/Public Works Director / Councilor Andress – Finance Committee**

- 05.04.23** **Request to set Bid Date** for the City Hall parking deck repair and restoration project – **Wyatt Pugh, Inspections & Permits – Finance Committee**
- 06.04.23** Request for consideration to vacate a portion of unnamed city Right-of-Way adjacent to 328 Redfern Street – **David Mitchell / Wyatt Pugh, Inspections & Permits – Special Issues Committee**
- 07.04.23** Request for consideration of abolishing the Cable Commission – **Councilors Andress and Jones – Special Issues Committee**
- 08.04.23** Request for consideration to permit use of the City Hall Plaza for Summer and Fall tournaments by CornholeBHM, a Social Cornhole league – **John Pietrantonio, CornholeBHM / Wyatt Pugh, Inspections & Permits – Special Issues Committee**
- 09.04.23** Request to use Plaza for a Street Vault Competition on July 8, 2023 – **Chris Spear / J.J. Bischoff, Chief of Staff – Special Issues Committee**

Councilor Smith 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. 10.04.23 – Request for consideration of approval of vouchers for period of March 28, 2023 through April 10, 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. 23-58

(A Resolution for approval of vouchers for period of March 28, 2023 through April 10, 2023)

Councilor Jones moved for the adoption and enrollment of Resolution No. 23-58. 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 Finance Committee would meet on April 17, 2023 at 5:00 p.m. with Public Works and Special Issues Committees meeting immediately following the previous meeting. The Public Safety and Planning and Development Committees were not scheduled to meet on April 17, 2023.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:51 p.m.