

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

**April 12, 2021**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, March 29, 2021 at City Hall at 6:00 p.m.

The invocation was given by Dr. Bill Johnston of Dawson Memorial Baptist Church, after which the pledge of allegiance was given.

At this time Mayor McClusky presented a proclamation to Heather Cover, Homewood Library employee, for receiving the Alabama Library Association's Eminent Librarian Award. Mayor McClusky then presented a proclamation to Edward Eggleston, Homewood Library employee, for receiving the Alabama Library Association's Paralibrarian Award.

At this time Mayor McClusky presented a proclamation to Maribeth Thomas and Jon Patterson with Prescott House recognizing April as National Child Abuse Prevention Month.

The meeting was called to order by President Wyatt at 6:12 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 and 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 Smith moved to dispense with the reading of the Minutes of the Council Meeting of March 29, 2021 and approve them as amended. 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 asked if the Council had any Board appointments.

Councilor Geer moved to re-appoint Jeremy Love to the Ward 1 Municipal Housing Code Abatement Board. 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.

Councilor Jones moved to appoint Dr. Ken Murray and Marco Gonzales to the Medical Clinic Board. 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.

President Wyatt stated that interviews would need to be set for the Library Board Ward 3 applicants and the Board of Education Ward1 applicants.

At this time, President Wyatt amended the published Council Agenda to add the following item to the Committee Referral Agenda: Item No. 10.04.21 – Request for consideration for a tent variance for Trinity Methodist Vacation Bible School (VBS) – Councilor Smith – Special Issues Committee.

Councilor Jones moved for the approval of the amended Council 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**

**None.**

## **OLD BUSINESS AGENDA**

The first item on the Agenda under Old Business was Item No. 17.03.21 – Public Hearing set for April 12, 2021 at 6:00 p.m. for consideration of a side yard setback variance for a fence at 3017 Roxbury Road – Patrick Jackson, Homeowner / Wyatt Pugh, BEZ.

Councilor Smith stated that the Special Issues Committee met on April 5, 2021 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 6:19 p.m.

President Wyatt asked if there was anyone in the audience who wished to speak in favor, or in opposition to, this item.

Mr. Patrick Jackson at 3017 Roxbury Road addressed the Council regarding this request.

President Wyatt declared the Public Hearing closed at 6:20 p.m.

Councilor 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. 21-47**

**(A Resolution for a side yard setback variance for a fence at 3017 Roxbury Road)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-47. 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. 18.03.21 – Public Hearing set for April 12, 2021 at 6:00 p.m. for to permit a front yard fence partially in the right-of-way along the creek at 624 Forest Drive– Scott Smith, Homeowner / Wyatt Pugh, BEZ.

Councilor Smith stated that the Special Issues Committee met on April 5, 2021 and voted 5-0 to refer this item back to the full Council without recommendation pending the Public Hearing. Councilor Smith further stated that the homeowner requested more time for the design plans.

President Wyatt declared the Public Hearing opened at 6:24 p.m. and continued the Public Hearing to April 26, 2021 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 22.03.21 – Public Hearing set for April 12, 2021 at 6:00 p.m. for consideration of a variance to increase size of two wall signs at 2719 19th Place South - Rod Burchell, Alphagraphics/ Wyatt Pugh, BEZ.

Councilor Smith stated that the Special Issues Committee met on April 5, 2021 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 6:25 p.m. and continued the Public Hearing to April 26, 2021 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 13.10.20 – Request to add handicapped parking space on 29<sup>th</sup> Avenue at new angled spaces – Councilor Address.

Councilor Jones stated that the Finance Committee met on April 5, 2021 and voted 4-0 to recommend approval of two spaces with funding for up to \$10,000.00 from Sidewalk Repairs (12-11-581733).

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

**Resolution No. 21-48**

**(A Resolution to add two handicapped parking spaces on 29<sup>th</sup> Avenue at new angled spaces)**

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. 13.03.21 – Request to hear proposal from Avenu regarding delinquent business license recovery for out-of-town businesses – Councilor Walter Jones/Robert Burgett- Finance Director – Assistant City Clerk and Melody Salter – City Clerk/Assistant Finance Director.

Councilor Jones stated that the Finance Committee met on April 5, 2021 and voted 4-0 to recommend approval and authorizing the Mayor to sign the contract.

President Wyatt stated that this item would be carried over.

The next item on the Agenda under Old Business was Item No. 14.03.21 – Request to amend FY 20-21 Budgets – Wyatt Pugh/Gordon Jaynes/Robert Burgett/Melody Salter.

Councilor Jones stated that the Finance Committee met on April 5, 2021 and voted 5-0 to recommend approval.

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

**Resolution No. 21-49**

**(A Resolution to amend FY 20-21 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. 01.03.21 – Request for consideration to add a crosswalk between 232 and 236 Hall Ave at the end of the cut through for neighborhood – Mario Neavez/Councilor Alemán.

Councilor Gwaltney stated that the Public Safety Committee met on April 5, 2021 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 add a crosswalk between 232 and 236 Hall Ave at the end of the cut through for neighborhood)**

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

Councilor Alemán moved for the unanimous consent of the proposed Ordinance as read. Councilor Address 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, Jones, Smith, Nelms, Address, 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. 2803**

**(An Ordinance to add a crosswalk between 232 and 236 Hall Ave at the end of the cut through for neighborhood)**

Councilor Alemán moved for the enrollment and adoption and publication according to law of Ordinance No. 2803. 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, Alemán, Wolverton, Sims, Jones, Smith, Nelms, Address, Hardin, and Wyatt.

The motion carried without dissent.

Councilor Jones then moved to refer to the Finance Committee. 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. 13.02.21 – Request for consideration of changes to the landscaping and tree requirements – Councilors Gwaltney and Andress (Referred from Planning Commission on a 5-0-1 Favorable Vote).

Councilor Andress stated that the Planning and Development Committee met on April 5, 2021 and voted 4-0 to recommend setting a Public Hearing for May 10, 2021 at 6:00 p.m.

President Wyatt stated that the Public Hearing would be set for May 10, 2021 at 6:00 p.m.

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### COMMITTEE REFERRAL AGENDA

- 01.04.21** Request to consider mid-year review for FY 20-21 per Fiscal Policy – **Robert Burgett/Finance Director & Assistant City Clerk and Melody Salter/City Clerk/Assistant Finance Director – Finance Committee**
- 02.04.21** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a variance to the sign ordinance to add one additional wall sign at 2713 18th Street South – **Wes Daniel, Daniel Sign Company/Wyatt Pugh, BEZ – Special Issues Committee**
- 03.04.21** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a side yard fence setback variance at 200 Morris Boulevard – **Sarah Hefner/Wyatt Pugh, BEZ – Special Issues Committee**
- 04.04.21** Request for consideration to rezone northern portion (1.9927 acres) of 260 Oxmoor Road (PID 29-00-14-3-004-008.000) from a GURD (Greensprings Urban Renewal District) to C-5 (General Business District): Applicant: Chelsey Payne, Massey, Stotser & Nichols, PC /Owner: ADMA, Inc. to permit the construction of a three-story storage facility (The Planning Commission had a vote of 9-0 for a favorable recommendation of the rezone) – **Wyatt Pugh – Planning and Development Committee**

- 05.04.21**      **Request to set a Public Hearing** for consideration to rezone two small strips of land resulting from one resurvey. Request to rezone a strip of land at 316 Sterrett Avenue (PID 29-00-14-4-002-032.021) to be added to 320 Sterrett Avenue (29-00-14-4-006-011.000) from PR-1 (Planned Residential District) to NPD (Neighborhood Preservation District); and to rezone a strip of land at 320 Sterrett Avenue (29-00-14-4-006-011.000) to be added to 316 Sterrett Avenue (PID 29-00-14-4-002-032.021) from NPD (Neighborhood Preservation District) to PR-1 (Planned Residential District): Applicant: Ronald Vant Erve /Owners: Ronald Vant Erve & Charles A, Williams (The Planning Commission had a vote of 9-0 for a favorable recommendation of this rezone) – **Vicki Smith, Zoning Supervisor – Planning and Development Committee**
- 10.04.21**      Request for consideration for a tent variance for Trinity Methodist Vacation Bible School (VBS) – **Councilor Smith – Special Issues Committee**

Councilor Smith moved to approve the amended Committee Referral 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.

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## **OTHER NEW BUSINESS**

The next item on the Agenda under Other New Business was Item No. 02.04.21 – Request to set a Public Hearing for consideration of a variance to the sign ordinance to add one additional wall sign at 2713 18th Street South – Wes Daniel, Daniel Sign Company / Wyatt Pugh, BEZ.

President Wyatt stated that the Public Hearing would be set for April 26, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 03.04.21 – Request to set a Public Hearing for consideration of a fence setback variance at 200 Morris Boulevard – Wyatt Pugh, BEZ.

President Wyatt stated that the Public Hearing would be set for April 26, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 05.04.21 – Request to set a Public Hearing for consideration to rezone 316 and 320 Sterrett Avenue

(PIDs 29-00-14-4-002-032.021 & 29-00-14-4-006-011.000) from NPD (Neighborhood Preservation District) to PR-1 (Planned Residential District) and from PR-1 (Planned Residential District) to NPD (Neighborhood Preservation District): Applicant: Ronald Vant Erve /Owners: Ronald Vant Erve & Charles A, Williams to rezone two strips of land resulting from a land swap between two adjacent residential lots to the respective zoning classifications of each individual lot (The Planning Commission had a vote of 9-0 for a favorable recommendation of the rezone) – Wyatt Pugh.

President Wyatt stated that the Public Hearing would be set for May 10, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 06.04.21 – Request to set a Public Hearing for consideration to declare the property at 307 West Glenwood Drive (PID #29-00-13-1-020-006.000) a Public Nuisance – Wyatt Pugh, BEZ.

President Wyatt stated that the Public Hearing would be set for May 10, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 07.04.21 – Request to set a Public Hearing for consideration to declare the property at 809 Columbiana Road (PID #20-00-23-0-001-032.000) a Public Nuisance – Wyatt Pugh, BEZ.

President Wyatt stated that the Public Hearing would be set for May 10, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 08.04.21 – Request to authorize the Mayor to sign Agreement with the Jefferson County Board of Education – Council President Wyatt.

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

**Resolution No. 21-50**

**(A Resolution to authorize the Mayor to sign Agreement with the Jefferson County Board of Education)**

Councilor Jones moved for the adoption and enrollment of Resolution No. 21-50. 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. 09.04.21 – Request for consideration of approval of vouchers for period of March 30, 2021 through April 12, 2021 – Robert Burgett, Finance Director / Assistant City Clerk and Melody Salter, CPA, City Clerk/Assistant Finance Director.

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

**Resolution No. 21-51**

**(A Resolution for approval of vouchers for period of March 30, 2021 through April 12, 2021)**

Councilor Hardin moved for the adoption and enrollment of Resolution No. 21-51. 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 Committee voted 11-0 to enter into Executive Session. The motion was made by Councilor Jones and seconded by Councilor Hardin.

Mr. Kendrick stated that the sole purpose for entering into Executive Session at this time was to discuss purchase of property.

The Committee moved into Executive Session at 6:49 p.m.

The Committee then voted 11-0 to reconvene the regular session. The motion was made by Councilor Jones and seconded by Councilor Gwaltney.

Councilor Jones stated that the Finance Committee would meet on April 19, 2021 at 5:00 p.m.

Councilor Gwaltney stated that the Public Safety Committee would meet on April 19, 2021 at 5:30 p.m.

Councilor Wolverton stated that the Public Works Committee would meet on April 19, 2021 at 5:40 p.m.

Councilor Smith stated that the Special Issues Committee would meet on April 19, 2021 at 5:50 p.m.

Councilor Andress stated that the Planning and Development Committee would meet on April 19, 2021 at 6:10 p.m.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:21 p.m.