

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

April 25, 2022

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, April 25, 2022, at City Hall at 6:00 p.m.

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

The meeting was called to order by President Wyatt at 6:10 p.m.

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

At this time, Councilor Wolverton moved to dispense with the reading of the Minutes of the Council Meeting of April 11, 2022 and approve them as presented. 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.

At this time, President Wyatt stated that interviews would be set for the Arts Advisory Board At-Large position after the next Council Meeting.

Councilor Wolverton moved to appoint Ravindra Patel to the Ward 2 Beautification Board position. Councilor Sims 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 Hardin moved to appoint Leigh Spencer to the At-Large Homewood Environmental Commission position. 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 Wolverton moved to appoint Jason Booi to the Ward 2 Homewood Environmental Commission position. Councilor Sims 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 Smith moved to appoint Derek Marshall to the Ward 4 Homewood Environmental Commission 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 were held for the Ward 3 Board of Education position but needed additional information from applicants so would carry over until a Special Called Meeting Friday, April 29, 2022 at 5:30 p.m.

At this time President Wyatt added the following item to the published Council Agenda to Other New Business with referral to the Finance Committee: Item No. 24.04.22 – Request to authorize the Mayor to sign a purchase agreement with NAFECO for fire equipment – Chief Hill, Fire Department – Finance Committee.

Councilor Andress moved for the approval of the amended Consent 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

02.04.22 Request to give mid-year review presentation per Council Fiscal Policy – **Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk**

Action Taken: After presentation from Robert Burgett and Melody Salter, the Committee voted 5-0 to recommend accepting the mid-year report. The motion was made by Councilor Smith and seconded by Councilor Hardin.

Councilor Smith moved for the approval of the amended Consent 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.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 21.03.22 – Public Hearing set for April 25, 2022 at 6:00 p.m. for consideration for condemnation of the dwelling structure at 2757 BM Montgomery Street – Wyatt Pugh, Building Department.

Councilor Jones stated that the Public Safety Committee met on April 4, 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 6:16 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.

The following residents addressed the Council regarding this item: Sandy Bergerson at 330 Carr Avenue and George Terry at 2536 Central Avenue.

President Wyatt declared the Public Hearing closed at 6:35 p.m.

President 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. 22-64

(A Resolution for condemnation of the dwelling structure at 2757 BM Montgomery Street)

Councilor Jones moved for the adoption and enrollment of Resolution No. 22-64. 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 on a vote of 5-4. Councilors Wolverton, Sims, Andress, and Hardin voted no.

The next item on the Agenda under Old Business was Item No. 05.04.22 – Public Hearing set for April 25, 2022 at 6:00 p.m. for consideration of a pole sign variance at 1724 27th Ct S – Tim Coker / Wyatt Pugh, Building Department.

Councilor Smith stated that the Special Issues Committee met on April 18, 2022 but applicant asked to Carry this item over.

President Wyatt declared the Public Hearing opened at 6:38 p.m.

President Wyatt stated that the Public Hearing would be continued, and the item would be carried over.

The next item on the Agenda under Old Business was Item No. 03.04.22 – Request to amend FY 21-22 Budgets – Berkley Squires/Public Services Director, Robert Burgett/Finance Director, and Melody Salter/City Clerk.

Councilor Jones stated that the Finance Committee met on April 18, 2022 and voted 5-0 to recommend approval with addition of two items.

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

Resolution No. 22-65

(A Resolution to 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. 04.04.22 – Request for consideration for adding a stop sign at Hillmoor Drive and Sherbrooke Drive – Councilors Wolverton and Alemán.

Councilor Jones stated that the Public Safety Committee met on April 18, 2022 and voted 5-0 to refer this item back to the full Council without recommendation.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:41p.m.:

Ordinance No.

(An Ordinance for adding a stop sign at Hillmoor Drive and Sherbrooke Drive)

Councilor Wolverton 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 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. 2837

(An Ordinance for adding a stop sign at Hillmoor Drive and Sherbrooke Drive)

Councilor Nelms moved for the enrollment and adoption and publication according to law of Ordinance No. 2837. 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 Geer, Wolverton, Sims, Jones, Smith, Nelms, Andress, Hardin, and Wyatt.

The motion carried without dissent.

COMMITTEE REFERRAL AGENDA

- 09.04.22** Request for permission to keep and make improvements to an existing sign in the right-of-way – **Don Hawes, Signage Inc. /Backus Smiles Orthodontics/Wyatt Pugh, Building Department – Public Works Committee**
- 10.04.22** Request for city to consent to amended restated and consolidated declaration of easements for Brookwood Medical Center – **Mike Kendrick, City Attorney – Planning and Development Committee**
- 11.04.22** Request to consider sponsoring 4th of July Fireworks with Vulcan Park Foundation – **Councilor Andress – Finance Committee**
- 12.04.22** Request to authorize the Mayor to sign 36-month lease with Ameritek for City copiers – **Robert Burgett, Finance Director – Finance Committee**
- 13.04.22** Request to authorize the Mayor to sign annual maintenance agreement with Motorola for radio system and NICE recorder – **Chief Hill, Deputy Chief Broadhead- Fire Department/E-911 – Finance Committee**
- 14.04.22** Request for consideration of funding for the leveling of Yorkshire – **Berkley Squires, Public Services Director – Finance Committee**
- 15.04.22** Request to amend FY 21-22 Budgets – **Debbie Fout, Library Director/Chief Hill, Fire Dept/Robert Burgett, Finance Director – Finance Committee**
- 16.04.22** Request to declare unused property surplus – **Chief Hill and Deputy Chief Broadhead, Fire Dept. – Finance Committee**

- 17.04.22 Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a pole sign variance at 2821 Central Avenue – **Candice Watson. Signage Inc./The Battery Restaurant/Wyatt Pugh, Building Department – Special Issues Committee**
- 18.04.22 Request to set a Public Hearing and referral to the Special Issues Committee** for consideration two roof sign variances at 2821 Central Avenue – **Candice Watson. Signage Inc./The Battery Restaurant/Wyatt Pugh, Building Department – Special Issues Committee**
- 19.04.22 Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a front yard fence variance at 1669 Beckham Drive – **Jake Shackelford/Wyatt Pugh, Building Department – Special Issues Committee**
- 20.04.22 Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of sign variances at 740 Shades Creek Parkway – **David Silverstein, Five Stone Group/Wyatt Pugh, Building Department – Special Issues Committee**
- 24.04.22** Request to authorize the Mayor to sign a purchase agreement with NAFECO for fire equipment – **Chief Hill, Fire Department – Finance Committee**

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

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No. 17.04.22 – Request to set a Public Hearing for consideration of a pole sign variance at 2821 Central Avenue – Candice Watson - Signage Inc./The Battery Restaurant/Wyatt Pugh, Building Department.

President Wyatt stated that the Public Hearing was set for May 9, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 18.04.22 – Request to set a Public Hearing for consideration two roof sign variances at 2821 Central Avenue – Candice Watson. Signage Inc./The Battery Restaurant/Wyatt Pugh, Building Department.

President Wyatt stated that the Public Hearing was set for May 9, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 19.04.22 – Request to set a Public Hearing for consideration of a front yard fence variance at 1669 Beckham Drive – Jake Shackelford/Wyatt Pugh, Building Department.

President Wyatt stated that the Public Hearing was set for May 9, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 20.04.22 – Request to set a Public Hearing consideration of sign variances at 740 Shades Creek Parkway – David Silverstein, Five Stone Group/Wyatt Pugh, Building Department.

President Wyatt stated that the Public Hearing was set for May 9, 2022 at 6:00 p.m.

Councilor Wolverton left the Council Chambers at 7:02 p.m.

The next item on the Agenda under Other New Business was Item No. 22.04.22 – Request for consideration of an ABC 040 – Retail Beer (On or Off Premises) license for Chipotle Mexican Grill of Colorado LLC d/b/a Chipotle Mexican Grill located at 273 Lakeshore Parkway – Melody Salter, CPA, City Clerk/Robert Burgett, Finance Director.

Councilor Smith moved for having no objections to the issuance of the ABC license. Councilor Hardin seconded the motion.

The next item on the Agenda under Other New Business was Item No. 23.04.22 – Request for consideration of approval of vouchers for period of April 12, 2022 through April 25, 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. 22-66

(A Resolution for approval of vouchers for period of April 12, 2022 through April 25, 2022)

Councilor Smith moved for the adoption and enrollment of Resolution No. 22-66. 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.

The next item considered under Other New Business was Item No. 24.04.22 – Request to authorize the Mayor to sign a purchase agreement with NAFECO for fire equipment – Chief Hill, Fire Department.

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

Resolution No. 22-67

(A Resolution to authorize the Mayor to sign a purchase agreement with NAFECO for fire equipment)

Councilor Smith moved for the adoption and enrollment of Resolution No. 22-66. 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 considered under Other New Business, taken out of order, was Item No. 21.04.22 – Request for presentation for Proposed City Manager Study – Mayor McClusky.

Mayor McClusky addressed the Council regarding this item.

President Wyatt stated that this Item would be referred to the Finance Committee.

President Wyatt stated that the Committees would meet on May 2, 2022, starting with the Finance Committee at 5:00 p.m. with the Public Works, Public Safety, Special Issues, and Planning and Development 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 7:17 p.m.