

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

**May 10, 2021**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, May 10, 2021 at City Hall at 6:00 p.m.

At this time, Councilor Nelms introduced the Fourth Grade Junior Patrol of Girl Scout Troop 350.

The invocation was given by Councilor Alemán, after which the pledge of allegiance was given by the Junior Patrol.

The meeting was called to order by President Wyatt at 6:08 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 Address, 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 Alemán moved to dispense with the reading of the Minutes of the Council Meeting of April 26, 2021 and approve them as amended. 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.

At this time, President Wyatt opened the application periods for the Ward 2 position of the Park Board and an At-Large position of the Homewood Environmental Commission to fill an unexpired term.

At this time, President Wyatt amended the published Council Agenda to add the following items to the Committee Referral Agenda: Item No. 08.05.21 - Request for consideration to join the Cahaba Waste Authority –Berkley Squires, Public Services Director and Mayor Patrick McClusky – Finance Committee; Item No. 09.05.21 – Request to authorize Mayor to sign contract with Sain Associates for Engineering consulting work on Maime Fosters/18<sup>th</sup> Street Project –Cale Smith, City Engineer – Finance Committee; Item No. 11.05.21 – Request to authorize Mayor to sign temporary Construction easement at Barber properties –President Wyatt – Finance Committee.

President Wyatt further amended the published Council Agenda to add the following items to the Other New Business Agenda: Item No. 10.05.21 - Request to authorize Mayor to sign contract with Pitney Bowers for Postage Lease in City Clerk's/Finance Department –Robert Burgett and Melody Salter/Finance and City Clerk's Office – Finance Committee.

President Wyatt stated that there would be three Public Forums for consideration of adoption of New Zoning Districts for the Homewood “Downtown District,” which would be scheduled as follows: Wednesday, May 12, 2021 at 6:00 p.m.; Thursday, May 20, 2021 at 6:00 p.m.; and Saturday, May 22, 2021 at 9:00 a.m.

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**

**04.12.18** Request for consideration for painting for SOHO Garage – **Jennifer Andress**

**Action Taken: The Finance Committee met on May 3, 2021 and voted 4-0 to take this item off the table. The motion was made by Councilor Smith and seconded by Councilor Hardin. The Finance Committee then voted 4-0 to recommend dropping this item. The motion was made by Councilor Smith and seconded by Councilor Alemán.**

**08.06.20** Request for consideration to address a collapsed storm sewer pipe at 410 Morris– **Councilors Smith and Wyatt**

**Action Taken: The Finance Committee met on May 3, 2021 and voted 4-0 to take this item off the table. The motion was made by Councilor Smith and seconded by Councilor Hardin. The Finance Committee then voted 4-0 to recommend dropping this item. The motion was made by Councilor Smith and seconded by Councilor Alemán.**

**06.06.18** Request to address City Gateways – **Walter Jones**

**Action Taken: The Special Issues Committee met on May 3, 2021 and voted 5-0 to take this item off the table. The motion was made by**

**Councilor Andress and seconded by Councilor Alemán. The Special Issues Committee then voted 5-0 to recommend dropping this item. The motion was made by Councilor Andress and seconded by Councilor Alemán.**

Councilor Alemán 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. 13.02.21 – Public Hearing set for May 10, 2021 at 6:00 p.m. 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 19, 2021 and voted 5-0 to refer this item back to the full Council without recommendation pending the Public Hearing.

President Wyatt opened the Public Hearing at 6:15 p.m.

President Wyatt stated that the Public Hearing would be continued and the item would be carried over for the BEZ Department's review.

The next item on the Agenda under Old Business was Item No. 05.04.21 – Public Hearing set for May 10, 2021 at 6:00 p.m. 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.

Councilor Andress stated that the Planning and Development Committee met on April 19, 2021 and, after hearing from Vicki Smith, voted 5-0 to refer this item back to the full Council without recommendation pending the Public Hearing.

President Wyatt opened the Public Hearing at 6:17 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.

Mr. Ronald Vanter at 616 Sterrett Avenue addressed the Council regarding this item.

President Wyatt closed the Public Hearing at 6:19 p.m.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:20 p.m.:

**Ordinance No.**

**(An Ordinance 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))**

President Wyatt asked if the Council had any questions or comments regarding this item.

The Council then held discussion regarding this item.

Councilor Andress moved for the unanimous consent of the proposed Ordinance as read. 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 roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, 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. 2805**

**(An Ordinance 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))**

Councilor Smith moved for the enrollment and adoption and publication according to law of Ordinance No. 2805. 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, Wolverton, Sims, Jones, Smith, Nelms, Address, Hardin, and Wyatt.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 06.04.21 – Public Hearing set for May 10, 2021 at 6:00 p.m. 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.

Mr. Wyatt Pugh addressed the Council regarding this item and the Council then held discussion regarding this item.

President Wyatt opened the Public Hearing at 6:27 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. There was no response from the audience.

President Wyatt closed the Public Hearing at 6:29 p.m.

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

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

**Resolution No. 21-62**

**(A Resolution to declare the property at 307 West Glenwood Drive (PID #29-00-13-1-020-006.000) a Public Nuisance)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-62. 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. 07.04.21 – Public Hearing set for May 10, 2021 at 6:00 p.m. for consideration to declare the property at 809

Columbiana Road (PID #20-00-23-0-001-032.000) a Public Nuisance – Wyatt Pugh, BEZ.

Mr. Wyatt Pugh addressed the Council regarding this item and the Council then held discussion regarding this item.

President Wyatt opened the Public Hearing at 6:31 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: Julia Quijano (via Zoom), Virginia McKibbens (via Zoom), and Thomas Swain (via Zoom).

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

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

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

**Resolution No. 21-63**

**(A Resolution to declare the property at 809 Columbiana Road (PID #20-00-23-0-001-032.000) a Public Nuisance)**

Councilor Wolverton moved for the adoption and enrollment of Resolution No. 21-63. 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. 14.04.21 – Public Hearing set for May 10, 2021 at 6:00 p.m. for consideration to permit a front yard fence at 1850 Lake Ridge Road – Chase Bowers, Homeowner / Wyatt Pugh, BEZ.

Councilor Smith stated that the Special Issues Committee met on May 3, 2021 and voted 5-0 to refer this item back to the full Council without recommendation pending the Public Hearing.

President Wyatt opened the Public Hearing at 6:42 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.

Mr. Pugh and the homeowner addressed the Council regarding this item.

President Wyatt closed the Public Hearing at 6:56 p.m.

President Wyatt asked if the Council had any further 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. 21-64**

**(A Resolution to permit a front yard fence at 1850 Lake Ridge Road)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-64. 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 motion failed on a vote of 3-8. Councilors Wolverton, Sims, Jones, Smith, Nelms, Andress, Hardin, and Wyatt voted no.

Councilor Wolverton moved to approve conditioned upon the homeowner removing the fence when the property changes owners.

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 motion carried on a vote of 6-5. Councilors Jones, Smith, Andress, Hardin, and Wyatt voted no.

The next item on the Agenda under Old Business was Item No. 15.04.21 – Public Hearing set for May 10, 2021 at 6:00 p.m. for a variance to the Sign Ordinance at 2831 Linden Avenue. Michael Disko / Wyatt Pugh, BEZ.

Councilor Smith stated that the Special Issues Committee met on May 3, 2021 and voted 5-0 to refer this item back to the full Council without recommendation pending the Public Hearing but the homeowner requested the item be dropped.

President Wyatt opened the Public Hearing at 7:10 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. There was no response from the audience.

President Wyatt closed the Public Hearing at 7:10 p.m.

Councilor Smith moved to drop this item. Councilor Andress seconded the motion.

The next item on the Agenda under Old Business was Item No. 04.04.21 – Public Hearing set for May 24, 2021 at 6:00 p.m. 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.

President Wyatt stated that this item would be carried over for the Public Hearing set for May 24, 2021 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 11.04.21 – Request to authorize the Mayor to sign contract with Motorola Solutions for the annual maintenance agreement for the public safety radio system and NICE radio recorder – Chief Nick Hill & Battalion Chief Broadhead.

Councilor Jones stated that the Finance Committee met on May 3, 2021 and voted 4-0 to recommend approval.

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

**Resolution No. 21-65**

**(A Resolution to authorize the Mayor to sign contract with Motorola Solutions for the annual maintenance agreement for the public safety radio system and NICE radio recorder)**

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. 13.04.21 – Request for consideration of budget amendments for FY 20-21 Budgets – Mayor McClusky, Robert Burgett, Finance Director/Assistant City Clerk and Melody Salter, City Clerk/Assistant Finance Director.

Councilor Jones stated that the Finance Committee met on May 3, 2021 and voted 4-0 to recommend approval.

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

**Resolution No. 21-66**

**(A Resolution for budget amendments for 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. 18.04.21 – Request for consideration to surplus obsolete and/or equipment no longer needed for municipal purposes – James Yates, IT Director / Assistant City Clerk and Melody Salter, CPA, City Clerk/Assistant Finance Director.

Councilor Jones stated that the Finance Committee met on May 3, 2021 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 7:12 p.m.:

**Ordinance No.**

**(An Ordinance to surplus obsolete and/or equipment no longer needed for municipal purposes)**

Councilor Gwaltney moved for the unanimous consent of the proposed Ordinance as read. 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 roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, 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. 2806**

**(An Ordinance to surplus obsolete and/or equipment no longer needed for municipal purposes)**

Councilor Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2806. Councilor Alemán 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, Andress, Hardin, and Wyatt.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 16.03.21 – Request for consideration of AT & T Easement at 234 Goodwin Crest Drive Wyatt Pugh, BEZ.

Councilor Wolverton stated that the Public Works Committee met on May 3, 2021 and voted 5-0 to recommend approval pending recommended corrections to the contract.

President Wyatt stated that this Item would be carried over.

The next item on the Agenda under Old Business was Item No. 16.04.21 – Request to authorize the Mayor to sign contract with City Arborist – Mayor McClusky.

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

**Resolution No. 21-67**

**(A Resolution to authorize the Mayor to sign contract with City Arborist)**

Councilor Andress moved for the adoption and enrollment of Resolution No. 21-67. 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.

**COMMITTEE REFERRAL AGENDA**

- 01.05.21** Request to authorize improvements for striping and parking on Oxmoor Road – **Randy Hambley/Traffic Dept. – Public Safety Committee**
- 02.05.21** Request to hear energy savings presentation from Trane for City Hall Building – **Councilor Smith/Berkley Squires, Public Services Director – Finance Committee**
- 03.05.21** Request to work and make improvements in City Right-of-Way at intersection of Shades Road and Forest Drive – **Clinton Cook/Councilor Sims – Public Works Committee**
- 04.05.21** Request to set Bid Opening Date and Referral to Finance for Spring Tree Planting – **Abraham Odrezin/City Arborist – Finance Committee**
- 08.05.21** Request for consideration to join the Cahaba Waste Authority –**Berkley Squires, Public Services Director and Mayor Patrick McClusky – Finance Committee**
- 09.05.21** Request to authorize Mayor to sign contract with Sain Associates for Engineering consulting work on Maime Fosters/18<sup>th</sup> Street Project –**Cale Smith, City Engineer – Finance Committee**
- 10.05.21** Request to authorize Mayor to sign contract with Pitney Bowers for Postage Lease in City Clerk's/Finance Department –**Robert Burgett and Melody Salter/Finance and City Clerk's Office – Finance Committee**

Councilor Gwaltney moved to approve the amended Committee Referral 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.

## **OTHER NEW BUSINESS**

The next item on the Agenda under Other New Business was Item No. 04.05.21 - Request to set Bid Opening Date for Spring Tree Planting – Abraham Odrezin/City Arborist.

President Wyatt stated that the Bid Opening would be set for June 7, 2021 at 4:30 p.m.

The next item on the Agenda under Other New Business was Item No. 05.05.21 – Request to accept grant and authorize the Mayor to sign the grant received from Police Department – Police Chief Tim Ross/ Detective Cameron Beedle/ Robert Burgett, Finance Director/Assistant City Clerk and Melody Salter, City Clerk/Assistant Finance Director.

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

### **Resolution No. 21-68**

**(A Resolution to accept grant and authorize the Mayor to sign the grant received from Police Department)**

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 21-68. 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. 06.05.21 – Request to authorize Mayor to sign contract with Placemakers – Council President Alex Wyatt.

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

**Resolution No. 21-69**

**(A Resolution to authorize Mayor to sign contract with Placemakers)**

Councilor Nelms moved for the adoption and enrollment of Resolution No. 21-69. 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. 07.05.21 – Request for consideration of approval of vouchers for period of April 27, 2021 through May 10, 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. 21-70**

**(A Resolution for approval of vouchers for period of April 27, 2021 through May 10, 2021)**

Councilor Hardin moved for the adoption and enrollment of Resolution No. 21-70. 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 next item on the Agenda under Other New Business was Item No. 08.05.21 – Request to authorize Mayor to sign contract with Pitney Bowes.

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

**Resolution No. 21-71**

**(A Resolution for approval of vouchers for period of April 27, 2021 through May 10, 2021)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-71. Councilor Alemán 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 stated that the Finance Committee would meet on May 17, 2021 at 5:00 p.m.

Councilor Gwaltney stated that the Public Safety Committee would meet on May 17, 2021 at 5:30 p.m.

Councilor Wolverton stated that the Public Works Committee would meet on May 17, 2021 at 5:45 p.m.

Councilor Smith stated that the Special Issues Committee would not meet on May 17, 2021.

Councilor Andress stated that the Planning and Development Committee would meet on May 17, 2021 at 5:55 p.m.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:54 p.m.