

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

June 26, 2023

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, June 26, 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, 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; J.J. Bischoff, Chief of Staff; Mayor Patrick McClusky, and Melody Salter, City Clerk. Absent: Carlos Alemán, Andrew Wolverton, and Walter Jones.

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Council Meeting of June 12, 2023 and approve them as presented. 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.

At this time, Councilor Gwaltney moved to dispense with the reading of the Minutes of the Special Called Council Work Session of June 12, 2023 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.

Councilor Sims moved to appoint Nancy Walburn to the At-Large Beautification Board 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 Geer moved to appoint Rosa Hill to the Ward 1 Library 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.

Councilor Sims moved to appoint Diedre Lewis Mason to the Ward 3 Beautification Board 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 Andress moved to appoint Alan Stamm to the Ward 5 Abatement Board position. 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 then opened the application period for the At-Large Arts Council position until July 17, 2023.

At this time, President Wyatt added the following items to the published Council Agenda to Old Business from the Finance Committee Meeting held earlier tonight: Item No. 25.04.17 – Request for consideration of 18th Street Revitalization Project – Councilor Gwaltney; Item No. 06.05.23 – Bid Opening set for June 5, 2023 at 4:45 p.m. (Deadline for Receiving Bids 4:30) for Paving Project – Berkley Squires, Public Works Director; Item No. 01.06.23 – Request to amend contract with CB&A Construction, LLC for Delcris Drive Sidewalk Project PH I – Cale Smith, PE; Item No. 02.06.23 – Request permission to add Senior Engineering Inspector position – Cale Smith, PE; Item No. 03.06.23 – Request to authorize the Mayor to sign an ADEM Grant Application for stormwater funding – Cale Smith, PE; Item No. 04.06.23 – Request to authorize the Mayor to sign agreement with Vulcan Park for Thunder of the Mountain – J.J. Bischoff, Chief of Staff. From Public Safety: Item No. 06.06.23 – Request permission to close Oxmoor Road and detour traffic for a Birmingham Water Works mainline tap – Birmingham Water Works / Cale Smith, PE. From Special Issues: Item No. 09.06.23 – Request for nomination for ALDOR Board of Equalization – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

President Wyatt then added the following items to the Consent Agenda from Special Issues: Item No. 14.05.23 – Public Hearing set for June 12, 2023 at 6:00 p.m. for consideration of sign variance(s) at 2724 18th Street South – George Barber / Wyatt Pugh, Inspections & Permits. From Finance: Item No. 05.06.23 – Request to amend FY 22-23

Budgets – Berkley Squires, Public Services Director; Item No. 21.04.22 – Request for presentation for Proposed City Manager Study – Mayor McClusky (Tabled 6/6/22).

President Wyatt then added the following items to the Committee Referral Agenda: Item No. 19.06.23 – Request for consideration to authorize Mayor to sign contract for garbage services– Berkley Squires, Public Services Director – Finance Committee; Item No. 20.06.23 – Request for consideration of a potential City Manager – Mayor Patrick McClusky – Finance Committee.

Councilor Gwaltney moved for the approval of the amended Council 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.

CONSENT AGENDA

14.05.23 Public Hearing set for June 12, 2023 at 6:00 p.m. for consideration of sign variance(s) at 2724 18th Street South – **George Barber / Wyatt Pugh, Inspections & Permits (Carried Over Due to No Quorum 6/5/23)**

Action Taken: The Committee voted 4-0 to recommend dropping this item. The motion was made by Councilor Sims and seconded by Councilor Andress.

05.06.23 Request to amend FY 22-23 Budgets – Berkley Squires, Public Services Director

Action Taken: The Committee voted 3-0 to recommend dropping this item. The motion was made by Councilor Hardin and seconded by Councilor Gwaltney.

21.04.22 Request for presentation for Proposed City Manager Study – Mayor McClusky (Tabled 6/6/22)

Action Taken: The Committee voted 3-0 to take this item off the table. The motion was made by Councilor Hardin and seconded by Councilor Gwaltney. The Committee then voted 3-0 to drop this item. The motion was made by Councilor Gwaltney 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 considered under Old Business was Item No. 25.04.17 – Request for consideration of 18th Street Revitalization Project – Councilor Gwaltney.

Councilor Smith stated that the Finance Committee met on June 26, 2023 and voted 3-0 to recommend approval of intergovernmental agreement with the City of Birmingham to replace traffic lights and poles.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:13 p.m.:

Ordinance No.

(An Ordinance for approval of intergovernmental agreement with the City of Birmingham)

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. 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, Sims, 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. 2869

(An Ordinance to declare various City items surplus)

Councilor Smith moved for the enrollment and adoption and publication according to law of Ordinance No. 2869. Councilor Address seconded the motion.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Sims, Smith, Nelms, Address, Hardin, and Wyatt.

The motion carried without dissent.

The next item considered under Old Business was Item No. 06.05.23 – Bid Opening set for June 5, 2023 at 4:45 p.m. (Deadline for Receiving Bids 4:30) for Paving Project – Berkley Squires, Public Works Director.

Councilor Smith stated that the Finance Committee met on June 26, 2023 and voted 3-0 to reject all bids and to rebid later with a different scope.

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

On a voice vote, the motion carried without dissent.

The next item considered under Old Business was Item No. 01.06.23 – Request to amend contract with CB&A Construction, LLC for Delcris Drive Sidewalk Project PH I – Cale Smith, PE.

Councilor Smith stated that the Finance Committee met on June 26, 2023 and voted 3-0 to recommend approval of \$14,206.00 in change orders.

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

Resolution No. 23-81

(A Resolution amend contract with CB&A Construction, LLC for Delcris Drive Sidewalk Project PH)

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 considered under Old Business was Item No. 02.06.23 – Request permission to add Senior Engineering Inspector position – Cale Smith, PE.

Councilor Smith stated that the Finance Committee met on June 26, 2023 and voted 3-0 to recommend approval.

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

Resolution No. 23-82

(A Resolution to add Senior Engineering Inspector position)

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 considered under Old Business was Item No. 03.06.23 – Request to authorize the Mayor to sign an ADEM Grant Application for stormwater funding – Cale Smith, PE.

Councilor Smith stated that the Finance Committee met on June 26, 2023 and voted 3-0 to recommend approval.

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

Resolution No. 23-83

(A Resolution to authorize the Mayor to sign an ADEM Grant Application for stormwater funding)

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 considered under Old Business was Item No. 04.06.23 – Request to authorize the Mayor to sign agreement with Vulcan Park for Thunder of the Mountain – J.J. Bischoff, Chief of Staff.

Councilor Smith stated that the Finance Committee met on June 26, 2023 and voted 3-0 to recommend approval.

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

Resolution No. 23-84

(A Resolution to authorize the Mayor to sign agreement with Vulcan Park for Thunder of the Mountain)

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 considered under Old Business was Item No. 06.06.23 – Request permission to close Oxmoor Road and detour traffic for a Birmingham Water Works mainline tap – Birmingham Water Works / Cale Smith, PE.

Councilor Gwaltney stated that the Public Safety Committee met on June 26, 2023 and voted 3-0 to recommend approval.

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

Resolution No. 23-85

(A Resolution granting permission to close Oxmoor Road and detour traffic for a Birmingham Water Works mainline tap)

President Wyatt asked if the Council had any questions or comments regarding the motion from the Public Safety Committee. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item considered under Old Business was Item No. 09.06.23 – Request for nomination for ALDOR Board of Equalization – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

Councilor Smith stated that the Special Issues Committee met on June 26, 2023 and voted 3-0 to recommend approval.

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

Resolution No. 23-86

(A Resolution nominating Marjorie George for ALDOR Board of Equalization)

President Wyatt asked if the Council had any questions or comments regarding the motion from the Special Issues 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. 11.06.23 – Public Hearing set for July 10, 2023 at 6:00 p.m. for consideration to approve a Final Development Plan for 169/173 Oxmoor Road (PID # 29-00-23-2-003-005.000) / (PID # 29-00-23-2-003-006.000. Applicant: Under Vulcan LLC /Owner: Under Vulcan LLC

(Brian Krogsgard) for the proposed redevelopment of an existing two-story office building as the site for a new, mixed-use development comprising a combination of retail / restaurant uses on the ground floor, and office space on the second floor, as well as appropriate parking, landscaping, and other site improvements (The Planning Commission had a vote of 6-0 for a favorable recommendation) – Cale Smith.

President Wyatt stated that this item would be carried over for the Public Hearing set for July 10, 2023 at 6:00 p.m.

COMMITTEE REFERRAL AGENDA

- 14.06.23** Request to declare various municipal items surplus – **Chief Tim Ross, Police Department/Randy Hambley, Traffic Department– Finance Committee**
- 15.06.23** Request to amend FY 22-23 Budgets – **Chief Tim Ross, Police Department – Finance Committee**
- 16.06.23** Request for consideration to reduce speed and safety on Seminole Drive next to Trinity UMC – Councilor Barry Smith and Hank Weldon – **Public Safety Committee**
- 19.06.23** Request for consideration to authorize Mayor to sign contract for garbage services – **Berkley Squires, Public Services Director – Finance Committee**
- 20.06.23** Request for consideration of City Manager – **Mayor Patrick McClusky – Finance Committee**

Councilor Hardin moved to approve the amended Committee Referral 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.

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No. 17.06.23 – Request to change the dates of the regularly scheduled Council meetings in July due to the July 4th Holiday – Council President Alex Wyatt.

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

Resolution No. 23-87

(A Resolution to change the dates of the regularly scheduled Council meetings in July due to the July 4th Holiday)

Councilor Hardin moved for the adoption and enrollment of Resolution No. 23-87. 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.

The next item on the Agenda under Other New Business was Item No. 18.06.23 – Request for consideration of approval of vouchers for period of June 13, 2023 through June 26, 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. 23-88

(A Resolution for approval of vouchers for period of June 13, 2023 through June 26, 2023)

Councilor Smith moved for the adoption and enrollment of Resolution No. 23-88. 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.

President Wyatt stated that the Committees would meet on July 10, 2023 prior to a Special Called Council Meeting starting with the Finance Committee at 5:00 p.m. with Public Safety, Public Works, and the Planning and Development Committees meeting immediately following the previous meeting. The Special Issues Committee did not set a meeting for July 10, 2023.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:32 p.m.