

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

July 25, 2022

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

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

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, Barry Smith, Jennifer Andress, 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: Walter Jones and Jaleté Nelms.

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

Councilor Smith moved to appoint Enslen Crowe to the Ward 2 Historic Preservation Commission position. 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.

President Wyatt stated that the Historic Preservation Commission At-Large application period would be opened until August 8, 2022 at 4:30 p.m.

President Wyatt stated that the Beautification Board At-Large and Ward 2 application period would be re-opened until August 22, 2022 at 4:30 p.m.

President Wyatt stated that the Mental Health Authority At-Large application period would be re-opened until August 22, 2022 at 4:30 p.m.

Councilor Nelms entered the Council Meeting at 6:12 p.m.

At this time, President Wyatt amended the published Council Agenda to add the following items to the Committee Referral Agenda: Item No. 17.07.22 – Request to authorize the Mayor to sign a contract for services for FY 21-22 for The Bell Center and pay FY 21-22 Budget Appropriations – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk – Finance Committee.

Councilor Alemán moved for the approval of the amended published 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

None.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 05.05.22 – Request to set a Public Hearing for vacation of Right-of-Way of 16th Street adjacent to 2901 Central Avenue – Lee and Chelsea Maniscalco Wyatt Pugh, Building Department (Carried Over 6/27/22).

President Wyatt stated that this item would be carried over.

The next item on the Agenda under Old Business was Item No. 10.05.22 – Public Hearing set for September 12, 2022 at 6:00 p.m. to consider annexation into the City of Homewood for 314 Happy Lane – Ketchum Properties/Melody Salter, City Clerk and Robert Burgett, Finance Director.

President Wyatt stated that this item would be carried over for the Public Hearing set for September 12, 2022 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 06.06.22 – Public Hearing set for August 8, 2022 at 6:00 p.m. to consider amending the City's Zoning Ordinance to include the Fence Ordinance – Councilor Andress / Cale Smith, PE.

President Wyatt stated that this item would be carried over for the Public Hearing set for August 8, 2022 at 6:00 p.m.

The next item on the Agenda under Old Business was Item 18.06.22 – Public Hearing set for July 25, 2022 at 6:00 p.m. for consideration of condemnation of the dwelling structure at 2900 16th PL S – Wyatt Pugh, Building Department.

Councilor Gwaltney stated that the Public Safety Committee met on July 18, 2022 and voted 4-0 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. Cale Smith addressed the Council regarding this item.

President Wyatt declared the Public Hearing closed at 6:18 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. 22-117

(A Resolution condemning the dwelling structure at 2900 16th PL S)

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 22-117. 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 Old Business was Item No. 19.06.22 – Public Hearing set for July 25, 2022 at 6:00 p.m. for consideration of condemnation of the dwelling structure at 137 West Glenwood Drive – Wyatt Pugh, Building Department.

Councilor Gwaltney stated that the Public Safety Committee met on July 18, 2022 and voted 4-0 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 of, or in opposition to, this item. Cale Smith addressed the Council regarding this item. The following residents then addressed the Council: Mike Roberts at 137 West Glenwood Drive; Jessie Cash at 136 West Glenwood Drive; and Rachel Cash at 136 West Glenwood Drive.

President Wyatt declared the Public Hearing closed at 6:26 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. 22-118

(A Resolution condemning the dwelling structure at 137 West Glenwood Drive)

Councilor Smith moved for the adoption and enrollment of Resolution No. 22-118. 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. 23.06.22 – Public Hearing continued from July 11, 2022 at 6:00 p.m. to consider declaring the property located at 464 Cornelius Drive, PID# 29-00-24-1-002-009.000 a public nuisance due to a violation of Ordinance 1910 & 1750 “Excessive Growth” – Scott Cook, Code Enforcement Officer, Inspections Dept. (Carried over and Continued 7/11/22).

President Wyatt continued the Public Hearing at 6:37 p.m.

Scott Cook addressed the Council regarding this item.

President Wyatt closed the Public Hearing at 6:39 p.m.

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

President Wyatt stated that this item would be carried over.

The next item on the Agenda under Old Business was Item No. 02.07.22 – Public Hearing set for July 25, 2022 at 6:00 p.m. for consideration of a sign variance at 2709 19th Place South – Mike Walker, Owner / Wyatt Pugh, Building Department.

Councilor Smith stated that the Special Issues Committee met on July 18, 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 6:43 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: Mike Walker, owner, and Helen Williams Johnson.

President Wyatt declared the Public Hearing closed at 6:46 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. 22-119

(A Resolution for a sign variance at 2709 19th Place South)

Councilor Andress moved for the adoption and enrollment of Resolution No. 22-119. 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.

The next item on the Agenda under Old Business was Item No. 03.07.22 – Public Hearing set for July 25, 2022 at 6:00 p.m. for consideration of a sign variance(s) at 273 Lakeshore Parkway – Meighan Ellis/Advance Signs/Chipotle/Wyatt Pugh, Building Department.

Councilor Smith stated that the Special Issues Committee met on July 18, 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 6:46 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. Meighan Ellis with Advance Signs addressed the Council regarding this item.

President Wyatt declared the Public Hearing closed at 6:48 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. 22-120

(A Resolution for a sign variance at 273 Lakeshore Parkway)

Councilor Smith moved for the adoption and enrollment of Resolution No. 22-120. 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. 21.05.22 – Request to present fiscal year end 09/30/21 audit results per fiscal policy guidelines – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

Councilor Smith stated that the Finance Committee met on July 18, 2022 and voted 4-0 to accept the report and transfer \$67,339.00 from Bryant Bank to Raymond James Cash Reserve for Economic Uncertainty.

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

Resolution No. 22-121

(A Resolution to transfer \$67,339.00 from Bryant Bank to Raymond James Cash Reserve for Economic Uncertainty)

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.

COMMITTEE REFERRAL AGENDA

- 05.07.22** Request permission to grant Telepak Networks d/b/a C Spire Fiber an 18' x 18' permanent easement – **Cale Smith, PE – Finance Committee**
- 06.07.22** Request to declare the following items surplus: 2016 Tahoe (VIN 1GNLCDEC5GR128469) and 2020 Harley Davidson Road King (VIN 1HD1FHP10LB609581) – **Gordan Jaynes, Fleet Maintenance / Chief Ross, Police Dept. – Finance Committee**
- 07.07.22** Request for consideration of Budget Amendments – **Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk – Finance Committee**
- 08.07.22** Request for consideration of Shades Creek Greenway Phase II – **Cale Smith, PE – Finance Committee**
- 09.07.22** **Request to set a Bid Date** for Mecca Avenue Sidewalks – **Cale Smith, PE – Finance Committee**
- 10.07.22** **Request to set a Bid Date** for Delcris Drive Sidewalks – **Cale Smith, PE – Finance Committee**
- 11.07.22** **Request to set a Bid Date** for Huntington Stormwater Culvert Replacement – **Cale Smith, PE – Finance Committee**

- 12.07.22 Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a sign variance(s) at 1831 28th Ave S, Suite 175 – **Taylor Hughes, Social Taco / Wyatt Pugh, Building Department – Special Issues Committee**
- 13.07.22 Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a sign variance(s) at 333 Greensprings Highway – **Brenda Daniel, Daniel Signs / Chase Bank / Wyatt Pugh, Building Department – Special Issues Committee**
- 14.07.22 Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a sign variance(s) at 1722 27th Court South – **Dogtopia / Wyatt Pugh, Building Department – Special Issues Committee**
- 15.07.22 Request to set a Public Hearing for and referral to the Planning and Development Committee** for consideration of annexation, and acceptance of annexation petition, for Board of Education property into the City of Homewood – **Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk - Planning and Development Committee**
- 17.07.22** Request to authorize the Mayor to sign a contract for services for FY 21-22 for The Bell Center from Budget Appropriations – **Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk – Finance Committee**

Councilor Nelms 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. 12.07.22 – Request to set a Public Hearing for consideration of a sign variance(s) at 1831 28th Ave S, Suite 175 – Taylor Hughes, Social Taco / Wyatt Pugh, Building Department.

President Wyatt stated that the Public Hearing would be set for August 8, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 13.07.22 – Request to set a Public Hearing for consideration of a sign variance(s) at 333 Greensprings Highway – Brenda Daniel, Daniel Signs / Chase Bank / Wyatt Pugh, Building Department.

President Wyatt stated that the Public Hearing would be set for August 8, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 14.07.22 – Request to set a Public Hearing for consideration of a sign variance(s) at 1722 27th Court South – Dogtopia / Wyatt Pugh, Building Department.

President Wyatt stated that the Public Hearing would be set for August 8, 2022 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 15.07.22 – Request to set a Public Hearing for consideration of annexation, and acceptance of annexation petition, for Board of Education property into the City of Homewood – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

President Wyatt stated that the Public Hearing would be set for November 14, 2022 at 6:00 p.m.

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

Resolution No. 22-122

(A Resolution to accept petition for annexation for Board of Education property)

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 22-122. 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. 16.07.22 – Request for consideration of approval of vouchers for period of July 12, 2022 through July 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. 22-123

(A Resolution approving of vouchers for period of July 12, 2022 through July 25, 2022)

Councilor Hardin moved for the adoption and enrollment of Resolution No. 22-123. 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, Councilor Smith moved to amend the Other new Business Agenda to add the following item: Item No. 18.07.22 – Request to authorize the Mayor to sign Opioid Settlement – President Wyatt. 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.

The next item on the Agenda considered under Other New Business was Item No. 18.07.22 – Request to authorize the Mayor to sign Opioid Settlement – President Wyatt.

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

Resolution No. 22-124

(A Resolution authorizing the Mayor to sign Opioid Settlement)

Councilor Andress moved for the adoption and enrollment of Resolution No. 22-124. 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 Committees would meet on August 1, 2022 starting with the Finance Committee at 5:00 p.m. with Public Works, Special Issues, and Planning and Development Committees meeting immediately following the previous meeting. The Public Safety Committee would not be scheduled for August 1, 2022.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:09 p.m.