

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

July 26, 2021

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, July 26, 2021 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 6:12 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, 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. Absent: Jennifer Andress.

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Council Meeting of July 12, 2021 and approve them as presented. 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.

At this time, Councilor Smith moved to appoint Steve Lloyd to the Jefferson County Mental Health Authority. 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 would be set for the three applicants for the Homewood Environment Commission At-Large position and that the Ward 3 position would be re-opened until August 23, 2021 at 4:30 p.m.

At this time, President Wyatt amended the published Council Agenda to add the following items to the Committee Referral Agenda: Item No. 15.07.21 – Request to Authorize the Mayor to sign agreement for Mutual Aid with City of Vestavia Hills – Chief Nick Hill – Public Safety Committee.

Councilor Gwaltney moved for the approval of the amended Council Agenda. 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.

CONSENT AGENDA

13.05.21 Request to consider audit presentation for FY 19-20 Audit from BMSS, CPA's, LLC – **Robert Burgett & Melody Salter, Finance Director/Assistant Finance Director**

Action Taken: After report from Zach Clifton of BMSS, the Committee voted 3-0 to accept report. The motion was made by Councilor Smith and seconded by Councilor Hardin.

Councilor Hardin 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.11.06.21 – Public Hearing held July 12, 2021 at 6:00 p.m. for consideration of a front yard fence variance at 112 Hollywood Boulevard – Christopher Allison, Homeowner / Wyatt Pugh, Building (Public Hearing Closed 7/12/21 and Item Carried Over).

President Wyatt stated that the homeowners requested to drop this item.

Councilor Smith moved to drop this item. 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. 09.06.21 – Public Hearing set for July 26, 2021 at 6:00 p.m. to consider variance to the sign ordinance at 2611 18th Place South (Robertson Banking) – Cale Smith, Engineering / Sain & Associates.

Councilor Smith stated that the Special Issues Committee met on July 19, 2021 and voted 4-0 to refer this item back to the full Council without recommendation pending the Public Hearing after hearing from Sain and Associates as well as sign company representative.

President Wyatt declared the Public Hearing opened at 6:10 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.

Mr. Cale Smith, PE addressed the Council regarding this item.

The following members of the Public addressed the Council regarding this item: Phil Kennedy, BBG Architects; Whit Bird, President of Robertson Banking;

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

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

The Council then held discussion regarding this item.

Councilor Smith moved to add permission to work in the Right-of-Way to the Old Business 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.

Melody Salter, City Clerk stated that the Public Works Committee met on July 19, 2019 and voted 4-0 to recommend allowing work in the City Right-of-Way with sign placement conditional on Special Issues approval.

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

Resolution No. 21-93

(A Resolution approving variance to the Sign Ordinance for two externally lit wall signs and one internally lit monument sign)

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-93. 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 on a vote of 9-1. Councilor Geer voted no.

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

Resolution No. 21-94

(A Resolution approving work in the City Right-of-Way)

Councilor Hardin moved for the adoption and enrollment of Resolution No. 21-94. 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. 01.07.21 – Public Hearing set for July 26, 2021 at 6:00 p.m. for consideration of variance to the Sign Ordinance at Gatsby Court and N. Shadesview Terrace – Cale Smith, Engineer.

Councilor Smith stated that the Special Issues Committee met on July 19, 2021 and voted 4-0 to refer this item back to the full Council without recommendation pending the Public Hearing after hearing from neighbors in the Gatsby area.

President Wyatt declared the Public Hearing opened at 6:45 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. Trent Ponder at 604 Stratton Court addressed the Council regarding this item.

President Wyatt declared the Public Hearing closed at 6:47 p.m.

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

The Council then held discussion regarding this item.

Councilor Smith moved to drop the sign variance request as the sign was in compliance. 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.

Melody Salter, City Clerk stated that the Public Works Committee met on July 19, 2019 and voted 4-0 to recommend allowing work in the City Right-of-Way with sign placement conditional on Special Issues approval.

Councilor Smith moved to add permission to work in the Right-of-Way to the Old Business 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.

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

Resolution No. 21-95

(A Resolution approving work in the City Right-of-Way)

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-95. 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. 02.07.21 – Public Hearing set for July 26, 2021 at 6:00 p.m. to permit two internally-illuminated wall signs at 1944 28th Ave South – Karl Hall-Trav-Ad Signs / Wyatt Pugh, Inspections & Permits.

Councilor Smith stated that the Special Issues Committee met on July 19, 2021 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 6:58 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. Karl Hall, Trav-Ad Signs addressed the Council regarding this item.

President Wyatt declared the Public Hearing closed at 7:00 p.m.

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

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

Resolution No. 21-96

(A Resolution approving variance to the Sign Ordinance)

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-96. 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. 12.04.21 – Request for consideration to permit use of the city hall plaza on a recurring basis for tournaments by CornholeBHM, a Social Cornhole league - John Pietrantonio, Cornhole BHM/Wyatt Pugh, BEZ.

Councilor Smith stated that the Special Issues Committee met on July 19, 2021 and voted 4-0 to recommend approval.

President Wyatt asked if the Council had any questions regarding the Special Issues Committee's recommendation.

The Council then held discussion regarding this item.

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

Resolution No. 21-97

(A Resolution to permit use of the city hall plaza on a recurring basis for tournaments by CornholeBHM, a Social Cornhole league)

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-97. 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.

COMMITTEE REFERRAL AGENDA

- 04.07.21** Request to consider annexation into the City of Homewood from Unincorporated Jefferson County for 1629 Sunset Drive –**Abdulla Azzam/Melody Salter, City Clerk and Robert Burgett, Assistant City Clerk – Planning and Development Committee**
- 05.07.21** Request to consider Bond Refinance Option – **Mike Dunn, Stifel/ Robert Burgett, Finance Director / Assistant City Clerk and Melody Salter, CPA, City Clerk/Assistant Finance Director – Finance Committee**
- 06.07.21** Request to consider budget amendments to FY 20-21 Budgets – **Robert Burgett, Finance Director / Assistant City Clerk and Melody Salter, CPA, City Clerk/Assistant Finance Director – Finance Committee**

- 07.07.21** Request for consideration to become an “Official Fan Guide Sponsor” for the Annual Birmingham Bowl – **Miles Huffstutler/Barry Smith – Finance Committee**
- 08.07.21** Request for consideration of a Downtown Entertainment District – **President Wyatt and Councilors Andress and Gwaltney – Public Safety Committee**
- 09.07.21** Request for consideration to work in the City Right-of-Way at 2915 Linden Avenue – **Shelly & Ron Smith/Pebblehurst Golf & Putter Lab/Wyatt Pugh, Inspections & Permits – Public Works Committee**
- 10.07.21** Request for consideration of park bench donations along Lakeshore Trail – **Mafus Bird / Councilor Andress – Special Issues Committee**
- 11.07.21** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a sign variance at 2610 19th Street S – **Therapy South/ Advance Sign / Wyatt Pugh, Inspections & Permits – Special Issues Committee**
- 12.07.21** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a sign variance at 2719 19th Place South to permit one additional unlighted wall sign at the rear of Jack n’ Jill’s and one at Sikes Shoes –**Rod Burchell, AlphaGraphics / Wyatt Pugh, Inspections & Permits – Special Issues Committee**
- 13.07.21** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration to adopt new zoning districts for the Homewood “Downtown District;” amending the City’s Zoning Ordinance to add Article VIII entitled “Downtown District” to Appendix A “Zoning” of Homewood’s Code of Ordinances (The Planning Commission had a vote of 5-3-1 for a favorable recommendation) – **President Alex Wyatt and the Planning Commission – Planning and Development Committee**
- 15.07.21** Request to Authorize the Mayor to sign agreement for Mutual Aid with City of Vestavia Hills – **Chief Nick Hill – Public Safety Committee**

Councilor Alemán moved to approve the amended Committee Referral 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.

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No. 11.07.21 – Request to set a Public Hearing for consideration of a sign variance at 2610 19th Street South – Therapy South / Advance Sign / Wyatt Pugh, Inspections & Permits.

President Wyatt stated that the Public Hearing would be set for August 9, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 12.07.21 – Request to set a Public Hearing for consideration of a sign variance at 2719 19th Place South to permit one additional unlighted wall sign at the rear of Jack n’ Jill’s and one at Sikes Shoes – Rod Burchell, AlphaGraphics / Wyatt Pugh, Inspections & Permits.

President Wyatt stated that the Public Hearing would be set for August 9, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 13.07.21 – Request to set a Public Hearing for consideration to adopt new zoning districts for the Homewood “Downtown District;” amending the City’s Zoning Ordinance to add Article VIII entitled “Downtown District” to Appendix A “Zoning” of Homewood’s Code of Ordinances (The Planning Commission had a vote of 5-3-1 for a favorable recommendation) – President Alex Wyatt and the Planning Commission.

President Wyatt stated that the Public Hearing would be set for August 23, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 14.07.21 – Request for consideration of approval of vouchers for period of July 13, 2021 through July 26, 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. 21-98

(A Resolution for approval of vouchers for period of June 29, 2021 through July 12, 2021)

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 21-98. 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 Jones stated that the Finance Committee would meet on August 2, 2021 at 5:00 p.m.

Councilor Gwaltney stated that the Public Safety Committee would meet on August 2, 2021 at 5:30 p.m.

Councilor Wolverton stated that the Public Works Committee would meet on August 2, 2021 at 5:45 p.m.

Councilor Smith stated that the Special Issues Committee would meet on August 2, 2021 at 6:00 p.m. and the Planning and Development Committee would meet at 6:30 p.m.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:32 p.m.