

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

August 22, 2022

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, August 22, 2022, at City Hall at 6:00 p.m.

The invocation was given by Councilor Gwaltney, after which the pledge of allegiance was given by Camden Smith from Troop 79.

The meeting was called to order by President Wyatt at 6:05 p.m.

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

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Council Meeting of August 8, 2022 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.

Councilor Smith moved to appoint Sydney Simmons to the At-Large position of the Historic Preservation Commission. 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.

Councilor Sims moved to appoint Nancy Mason to the At-Large position of the Beautification Board. 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 application period for the At-Large position of the Mental Health Authority and the Ward 2 Beautification Board position would be reopened until September 26, 2022 at 6:00 p.m.

At this time, President Wyatt amended the published Council Agenda to add the following item to the Other New Business Agenda: Item No. 18.08.22 – Request for an Event Notification Letter for Just a Call Away 5K Run.

Councilor Gwaltney moved for the approval of the amended published 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.

CONSENT AGENDA

None.

OLD BUSINESS AGENDA

The first 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. 09.07.22 – Bid Date set for September 12, 2022 at 4:00 p.m. for Mecca Avenue Sidewalks – Cale Smith, PE.

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

The next item on the Agenda under Old Business was Item No. 10.07.22 – Bid Date set for September 12, 2022 at 4:10 p.m. for Delcris Drive Sidewalks – Cale Smith, PE.

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

The next item on the Agenda under Old Business was Item No. 11.07.22 – Bid Date set for September 12, 2022 at 4:20 p.m. for Huntington Stormwater Culvert Replacement – Cale Smith, PE.

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

The next item on the Agenda under Old Business was Item No. 06.08.22 – Public Hearing set for September 12, 2022 at 6:00 p.m. for consideration to remove zoning restriction (PR-2 C, Planned Residential District (Conditional) from 1116 Hollywood Manor Drive (PID 28-00-18-1-002-016.009): Applicant: Joseph A. Miller, III, MTTR Engineers, Inc. Owner: Rose Sarris – in order to permit the construction of a single-family house (The Planning Commission had a vote of 7-0 (2 absent) for a favorable recommendation) – Cale Smith.

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. 08.08.22 – Public Hearing set for September 12, 2022 at 6:00 p.m. for consideration for condemnation of the structure at 2562 18th Street South – Wyatt Pugh, Building Department.

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. 15.07.22 – Public Hearing set for November 14, 2022 at 6:00 p.m. for consideration of annexation for Board of Education property into the City of Homewood – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

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

The next 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 8/8/22).

President Wyatt stated that the Public Hearing would be set for October 10, 2022 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 14.07.22 – Public Hearing held on August 8, 2022 at 6:00 p.m. for consideration of a sign variance(s) at 1722 27th Court South – Dogtopia / Wyatt Pugh, Building Department (Carried Over 8/8/22).

Councilor Smith stated that the Special Issues Committee met on August 1, 2022 and voted 5-0 to refer this item back to the full Council without recommendation pending the Public Hearing.

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

Resolution No. 22-133

(A Resolution for a sign variance(s) at 1722 27th Court South)

Councilor Smith moved for the adoption and enrollment of Resolution No. 22-133 under condition that pole sign being removed. 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 on a vote of 10-0-1. Councilor Hardin abstained.

The next item on the Agenda under Old Business was Item No. 08.07.22 – Request for consideration of Shades Creek Greenway Phase II – Cale Smith, PE (Carried Over 8/8/22).

Councilor Jones stated that the Finance Committee met on August 1, 2022 and voted 4-0 to recommend accepting lowest responsive bidder, Chilton Contractor, and for the Mayor to allow check to be written.

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

Resolution No. 22-134

(A Resolution for accepting bid from Chilton Contracting for Shades Creek Greenway Phase II)

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. 05.07.22 – Request permission to grant Telepak Networks d/b/a C Spire Fiber an 18' x 18' permanent easement – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on August 15, 2022 and voted 3-0 to recommend approval of declaring surplus and approving easement.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:19 p.m.:

Ordinance No.

(An Ordinance declaring surplus Telepak Networks d/b/a C Spire Fiber an 18' x 18' permanent easement)

Councilor Jones moved for the unanimous consent of the proposed Ordinance as read. 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 roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Sims, Jones, 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. 2847

(An Ordinance declaring surplus Telepak Networks d/b/a C Spire Fiber an 18' x 18' permanent easement)

Councilor Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2847. Councilor Address 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.

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

Resolution No. 22-135

(A Resolution to grant Telepak Networks d/b/a C Spire Fiber an 18' x 18' permanent easement)

Councilor Jones moved for the adoption and enrollment of Resolution No. 22-135. 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 Old Business was Item No. 01.08.22 – Request to consider State Act #2022-229 to allow for a onetime bonus for retired Homewood City employees – Mayor McClusky.

Councilor Jones stated that the Finance Committee met on August 15, 2022 and voted 3-0 to recommend approval.

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

Resolution No. 22-136

(A Resolution for approval of State Act #2022-229 to allow for a onetime bonus for retired Homewood City employees)

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. 02.08.22 – Request for consideration to become an “Official Fan Guide Sponsor” for the Annual Birmingham Bowl – Mark Meadows/Barry Smith.

Councilor Jones stated that the Finance Committee met on August 15, 2022 and voted 3-0 to recommend approval.

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

Resolution No. 22-137

(A Resolution to become an “Official Fan Guide Sponsor” for the Annual Birmingham Bowl)

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. 03.08.22 – Request to set a Bid Date for College Avenue Stormwater Improvements – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on August 15, 2022 and voted 3-0 to recommend setting the Bid Date for September 12, 2022 at 4:30 p.m.

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. 04.08.22 – Request to amend FY 21-22 Budgets – Berkley Squires, Public Works Director/ Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

Councilor Jones stated that the Finance Committee met on August 15, 2022 and voted 3-0 to recommend approval.

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

Resolution No. 22-138

(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. 05.08.22 – Request to consider revisions to the Tree and Landscape Ordinance – Cale Smith, PE.

Councilor Andress stated that the Planning and Development Committee met on August 15, 2022 and voted 4-0 to refer revisions to the full Council.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:26 p.m.

President Wyatt stated that the Public Hearing would be set for September 26, 2022 at 6:00 p.m.

COMMITTEE REFERRAL AGENDA

- 09.08.22** Request to accept grant item for Historic Preservation Commission – **Eddie Griffith / Councilor Smith – Finance Committee**
- 10.08.22** Request to consider paying tiered year-end bonus contingent upon the City competing Fiscal Year 2021-2022 with a General Fund surplus – **Mayor Patrick McClusky – Finance Committee**
- 11.08.22** Request to amend FY 21-22 Budget for the Parks & Rec Department – **Berkley Squires, Public Works Director – Finance Committee**
- 12.08.22** Request to amend FY 21-22 Budget for the Fleet Department – **Gordon Jaynes, Fleet Maintenance Superintendent– Finance Committee**
- 13.08.22** Request for consideration of an amendment to easement requested by Freshwater Land Trust – **Council President Wyatt / Freshwater Land Trust – Planning & Development Committee**
- 14.08.22** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a front yard fence variance at 207 Mecca Avenue – **Debbie Petitto, Owner / Wyatt Pugh, Inspections & Permits – Special Issues Committee**

15.08.22 Request to set a Public Hearing and referral to the Public Safety Committee to consider declaring the property located at 327 East Glenwood Drive, PID# 29-00-13-1-019-022.000 a public nuisance due to a violation of Ordinance 1910 & 1750 “Excessive Growth”– **Scott Cook – Public Safety Committee**

Councilor Andress 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. 14.08.22 – Request to set a Public Hearing for consideration of a front yard fence variance at 207 Mecca Avenue – Debbie Petitto, Owner / Wyatt Pugh, Inspections & Permits.

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

The next item on the Agenda under Other New Business was Item No. 15.08.22 – Request to set a Public Hearing to consider declaring the property located at 327 East Glenwood Drive, PID# 29-00-13-1-019-022.000 a public nuisance due to a violation of Ordinance 1910 & 1750 “Excessive Growth”– Scott Cook.

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

The next item on the Agenda under Other New Business was Item No. 16.08.22 – Request for consideration of approval of vouchers for period of August 9, 2022 through August 22, 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. 22-139

(A Resolution approving of vouchers for period of August 9, 2022 through August 22, 2022)

Councilor Hardin moved for the adoption and enrollment of Resolution No. 22-139. 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 considered under Other New Business was Item No. 18.08.22 – Request for an Event Notification Letter for Just a Call Away 5K Run.

Councilor Andress moved for approval. 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.

The next item on the Agenda under Other New Business was Item No. 17.08.22 – Request for consideration of Mayor's Budget Presentation for FY 22-23 – Mayor Patrick McClusky.

At this time, the Mayor provided the Budget Presentation.

President Wyatt stated that this item would be referred to the Finance Committee to set Budget Hearing dates.

President Wyatt stated that the Committees would meet on August 29, 2022 starting with the Finance Committee at 5:00 p.m. with Public Safety, Public Works, Special Issues, and Planning and Development Committees 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 6:54 p.m.