

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

September 13, 2021

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, September 13, 2021 at City Hall at 6:00 p.m.

The invocation was given by Councilor Barry Smith after which the pledge of allegiance was given.

The meeting was called to order by President Wyatt at 6:04 p.m.

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

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Special Called Council Meeting of August 16, 2021 and approve them as presented. 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.

At this time, Councilor Gwaltney moved to dispense with the reading of the Minutes of the Regular Council Meeting of August 23, 2021 and approve them as presented. 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.

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Special Called Council Meeting of August 31, 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, President Wyatt asked for Board openings and nominations.

Mayor McClusky appointed Sam Bokatzian to the Beautification Board.

Councilor Jones stated that application periods would be opened until October 11, 2021 at 4:30 p.m. for the following Board positions: Ward 3 of the BZA; Ward 3 of the Arts Advisory; and Wards 2 and 3 of the Abatement Board.

At this time, President Wyatt added the following item to the Committee Referral Agenda: Item No. 09.09.21 – Request to authorize the Mayor to sign a contract for Resurvey of the Rosedale National Register Historic District – Eddie Griffith/Chairman of the Homewood Historic Preservation Commission / Melody Salter, CPA, City Clerk/Assistant Finance Director.

Councilor Smith moved for the approval of the amended Council 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. 08.07.21 – Request for consideration of a Downtown Entertainment District – President Wyatt and Councilors Address and Gwaltney (Carried Over 8/23/21).

The first reading was held on August 23, 2021.

The Council held discussion on this item.

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

Ordinance No. 2815

(An Ordinance to add a Downtown Entertainment District)

Councilor Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2815. 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, Alemán, Sims, Jones, Smith, Nelms, Address, Hardin, and Wyatt. Nays: Geer.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 16.08.21 – Public Hearing set for September 13, 2021 at 6:00 p.m. for consideration of a sign variance at 1 West Lakeshore Drive (Ascension – St. Vincent’s) – Kelly Higgins, Certified Lighting / Wyatt Pugh, Inspections & Permits.

Councilor Smith stated that the Special Issues Committee met on August 30, 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 6:24 p.m.

President Wyatt asked if there was anyone in the audience who wished to speak in favor, or in opposition to, this item.

Mr. Wyatt Pugh addressed the Council regarding this item.

President Wyatt declared the Public Hearing closed at 6:27 p.m.

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

The Council then held discussion regarding the item.

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

Resolution No. 21-113

(A Resolution for a sign variance at 1 West Lakeshore Drive (Ascension – St. Vincent’s))

Councilor Alemán moved for the adoption and enrollment of Resolution No. 21-113. 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.

The next item on the Agenda under Old Business was Item No. 13.08.21 – Request to consider paying one-time payment to employees per the American Rescue and Recovery Act – Mayor McClusky.

Councilor Jones stated that the Finance Committee met on August 30, 2021 and voted 3-0 to recommend approval.

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

Resolution No. 21-114

(A Resolution for paying one-time payment to employees per the American Rescue and Recovery Act)

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. 14.08.21 - Request to amend Resolution 10-117 to pay down comp time to all employees above 80 hours and holiday pay balances for public safety employees to 96 hours and capping balances allowable to be carried to 96 hours and/or before promotions – Mayor McClusky.

Councilor Jones stated that the Finance Committee met on August 30, 2021 and voted 3-0 to recommend approval.

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

Resolution No. 21-115

(A Resolution to amend Resolution 10-117 to pay down comp time to all employees above 80 hours and holiday pay balances for public safety employees to 96 hours and capping balances allowable to be carried to 96 hours and/or before promotions)

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. 11.08.21 – Request for permission to work in the City Right-of-Way and extend road to the east of 913 Frisco Street – Cale Smith, PE.

Councilor Sims stated that the Public Works Committee met on August 30, 2021 and voted 5-0 to recommend approval.

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

Resolution No. 21-116

(A Resolution for permission to work in the City Right-of-Way and extend road to the east of 913 Frisco Street)

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. 12.08.21 - Request for consideration of a tent variance for Trinity United Methodist Church – Councilors Andress and Smith.

Councilor Smith stated that the Special Issues Committee met on August 30, 2021 and voted 4-0 to recommend approval.

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

Resolution No. 21-117

(A Resolution for a tent variance for Trinity United Methodist Church)

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.

COMMITTEE REFERRAL AGENDA

- 01.09.21** Request for consideration to surplus the following vehicle: 2004 International 7400 4x2 (VIN - 1HTWCADRX4J023501) – **Berkley Squires, Public Works Director – Finance Committee**
- 02.09.21** Request to consider paying bonuses to employees if the City completes the Fiscal Year 09/30/21 with a budget surplus –**Robert Burgett, Finance Director / Assistant City Clerk and Melody Salter, City Clerk, Assistant Finance Director – Finance Committee**
- 03.09.21** Request for consideration for work in the City Right-of-Way for Hero Doughnuts at Central Avenue – **Cale Smith, PE – Public Works Committee**
- 04.09.21** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a variance to the Tree Ordinance to cut seven protected trees at 157 Lucerne Blvd – **Scott Cook – Special Issues Committee**

09.09.21 Request to authorize the Mayor to sign a contract for Resurvey of the Rosedale National Register Historic District – **Eddie Griffith/Chairman of Homewood Historic Preservation Commission / Melody Salter, CPA, City Clerk/Assistant Finance Director**

Councilor Alemán 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. 04.09.21 – Request to set a Public Hearing for consideration of a variance to the Tree Ordinance to cut seven protected trees at 157 Lucerne Blvd – Scott Cook – Special Issues Committee.

President Wyatt stated that the Public Hearing would be set for September 27, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 05.09.21 – Request for consideration of an ABC 040 – Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) licenses for Agincourt Industries LLC d/b/a Maple Street Biscuit Company located at 2801 18th Street South Suite 101 – Melody Salter, CPA, City Clerk/Assistant Finance Director.

Councilor Gwaltney moved for having no objections to the issuance of the licenses pending letters of no objections from the Fire and Police Departments. 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.

The next item on the Agenda under Other New Business was Item No. 06.09.21 – Request to amend FY 20-21 Capital Funds Budget for Fire Department – Chief Nick Hill and Robert Burgett, Finance Director.

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

Resolution No. 21-118

(A Resolution to amend FY 20-21 Capital Funds Budget for Fire Department)

Councilor Jones moved for the adoption and enrollment of Resolution No. 21-118. 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. 07.09.21 – Request to authorize the Mayor to sign an “Assignment of Contract” to Goodwyn, Mills, Caywood, LLC – 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. 21-119

(A Resolution to authorize the Mayor to sign an “Assignment of Contract” to Goodwyn, Mills, Caywood, LLC)

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 21-119. 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, Mr. Kendrick presented the following Resolution for the Council’s consideration.

Resolution No. 21-120

(A Resolution approving vouchers for period of August 24, 2021 through September 13, 2021)

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 21-120. 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 Gwaltney stated that the Public Safety Committee would not meet on September 20, 2021.

Councilor Smith stated that the Special Issues Committee would meet on September 20, 2021 at 5:00 p.m.

Councilor Jones stated that the Finance Committee would meet on September 20, 2021 at 5:15 p.m.

Councilor Sims stated that the Public Works Committee would meet on September 20, 2021 at 5:30 p.m.

Councilor Andress stated that the Planning and Development Committee would not meet on September 20, 2021.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:48 p.m.