

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

September 27, 2021

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, September 27, 2021 at City Hall at 6:00 p.m.

At this time, Mayor McClusky presented a Proclamation for Down Syndrome of Alabama.

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

The meeting was called to order by President Wyatt at 6:09 p.m.

Upon Roll Call, the following were present: Andy Gwaltney, Melanie Geer, Carlos Alemán, Andrew Wolverton, Nick Sims, Walter Jones, Barry Smith, Jalet Nelms (via Zoom), 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 Regular Called Council Meeting of September 13, 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.

On a voice vote, the motion carried without dissent.

At this time, President Wyatt asked for Board openings and nominations.

Councilor Smith stated that the application period for the Ward 1 Historic Preservation Commission would be opened until October 25, 2021 at 4:30 p.m.

At this time, President Wyatt added the following item to the Committee Referral Agenda: Item No. 21.09.21 – Request to amend FY 21-22 funding for One Roof – Andrew Wolverton – Finance Committee.

Councilor Nelms moved for the approval of the amended Council 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.

CONSENT AGENDA

None.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 01.09.21 – Request for consideration to surplus the following vehicle: 2004 International 7400 4x2 (VIN - 1HTWCADRX4J023501) – Berkley Squires, Public Works Director.

Councilor Jones stated that the Finance Committee met on September 20, 2021 and voted 5-0 to recommend approval.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:16 p.m.:

Ordinance No.

(An Ordinance to surplus the following vehicle: 2004 International 7400 4x2 (VIN - 1HTWCADRX4J023501))

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. 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 roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Sims, Jones, Smith, Nelms, 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. 2816

(An Ordinance to surplus the following vehicle: 2004 International 7400 4x2 (VIN - 1HTWCADRX4J023501))

Councilor Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2816. 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, Hardin, and Wyatt.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 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 / and Melody Salter, City Clerk.

Councilor Jones stated that the Finance Committee met on September 20, 2021 and voted 5-0 to recommend approval.

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

Resolution No. 21-121

(A Resolution for paying bonuses to employees if the City completes the Fiscal Year 09/30/21 with a budget surplus)

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. 04.09.21 – Public Hearing set for September 27, 2021 at 6:00 p.m. for consideration of a variance to the Tree Ordinance to cut seven protected trees at 157 Lucerne Blvd – Scott Cook.

Councilor Smith stated that the Special Issues Committee met on September 20, 2021 and voted 5-0 to refer this item back to the full Council without a 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, or in opposition to, this item.

Scott Cook addressed the Council regarding this item.

The following residents addressed the Council regarding this item: Eric Westerlund at 157 Lucerne Boulevard and Matt Rich at 239 Fairlane Drive addressed the Council and regarding this item.

Councilor Andress entered the Council Chambers at 6:21 p.m.

President Wyatt declared the Public Hearing closed at 6:21 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. 21-122

(A Resolution for a variance to the Tree Ordinance to cut seven protected trees at 157 Lucerne Blvd)

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-122. 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 Old Business was Item No. 17.08.21 – Request to consider the Mayor's FY 21-22 Budget for All Funds – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

Councilor Jones provided an overview of the budget and stated that the Finance Committee voted 5-0 to recommend approval of all items.

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

Resolution No. 21-123

(A Resolution adopting the General Fund 2021/2022 Budget)

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.

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

Resolution No. 21-124

(A Resolution adopting the Grants Fund 2021/2022 Budget)

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.

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

Resolution No. 21-125

(A Resolution adopting the 7 Cent Gas Tax Fund 2021/2022 Budget)

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.

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

Resolution No. 21-126

(A Resolution adopting the 4 and 5 Cent Gas Tax Fund 2021/2022 Budget)

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.

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

Resolution No. 21-127

(A Resolution adopting the BOE Fund 2021/2022 Budget)

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.

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

Resolution No. 21-128

(A Resolution adopting the Debt Service Fund 2021/2022 Budget)

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.

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

Resolution No. 21-129

(A Resolution adopting the Capital Projects Fund 2021/2022 Budget)

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.

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

Resolution No. 21-130

(A Resolution adopting the Environmental Escrow Fund 2021/2022 Budget)

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.

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

Resolution No. 21-131

(A Resolution adopting the Insurance Fund 2021/2022 Budget)

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.

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

Resolution No. 21-132

(A Resolution adopting the E 911 Fund 2021/2022 Budget)

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.

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

Resolution No. 21-133

(A Resolution adopting the Corrections Fund – Jail Fund 2021/2022 Budget)

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.

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

Resolution No. 21-134

(A Resolution adopting the Correction Fund - Court Fund 2021/2022 Budget)

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.

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

Resolution No. 21-135

(A Resolution adopting the Municipal Court Fund 2021/2022 Budget)

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.

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

Resolution No. 21-136

(A Resolution adopting the Inspection Technology Fund 2021/2022 Budget)

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.

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

Resolution No. 21-137

(A Resolution adopting the GOW Construction Fund 2021/2022 Budget)

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.

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

Resolution No. 21-138

(A Resolution adopting the Judicial Administration Fund 2021/2022 Budget)

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.

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

Resolution No. 21-139

(A Resolution approving a 1 percent COLA)

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.

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

Resolution No. 21-140

(A Resolution approving new position in FY21-22 – Zoning Inspector Superintendent)

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.

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

Resolution No. 21-141

(A Resolution approving new position in FY21-22 – Traffic Maintenance)

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. 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.

Councilor Jones stated that the Finance Committee met on September 20, 2021 and voted 5-0 to recommend approval.

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

Resolution No. 21-142

(A Resolution to authorize the Mayor to sign a contract for Resurvey of the Rosedale National Register Historic District)

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

10.09.21 Request for consideration of a vacation a portion of a unnamed alley between 1722 28th Ave S and 1715 27th Ct S– **Mike Mouron/ Wyatt Pugh, Inspections & Permits – Special Issues Committee**

- 11.09.21** Request for consideration of vacation a portion of 27th Terrace South–
Mike Mouron, Capstone/ Wyatt Pugh, Inspections & Permits – Special Issues Committee
- 12.09.21** Request for consideration for a variance to permit a front yard masonry wall at 311 East Glenwood Drive– **Erin McGarrah, Homeowner/ Wyatt Pugh, Inspections & Permits – Special Issues Committee**
- 13.09.21** Request to consider budget amendments for FY 21-22 Budgets – **Robert Burgett, Finance Director and Berkley Squires, Public Services Director – Finance Committee**
- 15.09.21** Request for consideration of a variance to permit internal illumination of a wall sign in Downtown Sign District #1 at 2821 Crescent Avenue, Interior Elements– **Candice Watson, Signage/ Wyatt Pugh, Inspections & Permits – Special Issues Committee**
- 16.09.21** Request for consideration of two front yard fence variances at 214 Edgewood Blvd, – **The Mobleys, Homeowners/ Wyatt Pugh, Inspections & Permits – Special Issues Committee**
- 17.09.21** Request for consideration of a front yard fence variance at 320 Kenilworth Drive– **Huston and Erin Shirley, Homeowners/ Wyatt Pugh, Inspections & Permits – Special Issues Committee**
- 18.09.21** Request to consider that members of the Beautification Board as ward representatives be appointed by the Council– **Nick Sims– Special Issues Committee**
- 21.09.21** Request to amend FY 21-22 funding for One Roof – Andrew Wolverton – **Finance Committee**

Councilor Wolverton 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. 10.09.21 – Request to set a Public Hearing for consideration of a vacation a portion of a unnamed

alley between 1722 28th Ave S and 1715 27th Ct S – Mike Mouron/ Wyatt Pugh, Inspections & Permits.

President Wyatt stated that the Public Hearing would be set for November 8, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 11.09.21 – Request to set a Public Hearing for consideration of vacation a portion of 27th Terrace South – Mike Mouron/ Wyatt Pugh, Inspections & Permits.

President Wyatt stated that the Public Hearing would be set for November 8, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 12.09.21 – Request to set Public Hearing for consideration for a variance to permit a front yard masonry wall at 311 East Glenwood Drive – Erin McGarrah, Homeowner/ Wyatt Pugh, Inspections & Permits.

President Wyatt stated that the Public Hearing would be set for October 11, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 15.09.21 - Request to set Public Hearing for consideration of a variance to permit internal illumination of a wall sign in Downtown Sign District #1 at 2821 Crescent Avenue, Interior Elements – Candice Watson, Signage/ Wyatt Pugh, Inspections & Permits.

President Wyatt stated that the Public Hearing would be set for October 11, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 16.09.21 – Request to set Public Hearing for consideration of two front yard fence variances at 214 Edgewood Blvd – The Mobleys, Homeowners/ Wyatt Pugh, Inspections & Permits.

President Wyatt stated that the Public Hearing would be set for October 11, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 17.09.21 – Request to set Public Hearing for consideration of a front yard fence variance at 320 Kenilworth Drive– Huston and Erin Shirley, Homeowners/ Wyatt Pugh, Inspections & Permits.

President Wyatt stated that the Public Hearing would be set for October 11, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 19.09.21 – Request to approve liquor license ABC 020–Restaurant Retail Liquor due to ownership change at Shiki Tai and Sushi LLC located at 300 Hallman Hill E Suite 109 – Applicants I Wayan Nara Soma.

Councilor Gwaltney moved to approve the issuance of the ABC license pending letters of no objection from the Fire and Police Departments. 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. 20.09.21 – Request for consideration of approval of vouchers for period of September 14, 2021 through September 27, 2021 – 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. 21-143

(A Resolution approving vouchers for period of September 14, 2021 through September 27, 2021)

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 21-143. 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 Other New Business was Item No. 14.09.21 – Request to authorize the Mayor execute a contract to purchase two properties currently being leased from the Estate of Buddy Wade – Mayor Patrick McClusky and Robert Burgett, Finance Director.

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

Resolution No. 21-144

(A Resolution to authorize the Mayor execute a contract to purchase two properties currently being leased from the Estate of Buddy Wade)

Councilor Jones moved for the adoption and enrollment of Resolution No. 21-144. 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.

Mayor McClusky addressed the Council regarding the Budget and thanked the Council and Department Head for their hard work through the Budget Hearing process.

Councilor Gwaltney stated that the Public Safety Committee would not meet on October 4, 2021.

Councilor Jones stated that the Finance Committee would meet on October 4, 2021 at 5:00 p.m.

Councilor Wolverton stated that the Public Works Committee would meet on October 4, 2021 at 5:15 p.m.

Councilor Smith stated that the Special Issues Committee would meet on October 4, 2021 at 5:25 p.m.

Councilor Andress stated that the Planning and Development Committee would not meet on October 4, 2021.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:08 p.m.