

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

October 25, 2021

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, October 25, 2021 at City Hall at 6:00 p.m.

The invocation was given by Pastor Tommy Sanders, of Dawson Memorial Baptist Church, after which the pledge of allegiance was given.

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

Upon Roll Call, the following were present: Melanie Geer, Carlos Alemán, Andrew Wolverton, Walter Jones, Barry Smith, Jalete Nelms, Jennifer Address, 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: Andy Gwaltney, Nick Sims, and John Hardin.

At this time, Councilor Alemán moved to dispense with the reading of the Minutes of the Regular Called Council Meeting of October 11, 2021 and approve them as presented. 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, President Wyatt asked for Board openings and nominations.

President Wyatt stated that interviews would be set for the three applicants of the Ward 1 Historic Preservation Commission.

Councilor Jones moved to appoint Ms. Julia Quijano to the Ward 3 Arts Advisory 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.

At this time, President Wyatt added the following items to the Committee Referral Agenda: Item No. 27.10.21 – Request to authorize Mayor to sign contract with Flock Group Inc. for camera system – Chief Tim Ross/Police and Mayor Patrick McClusky – Finance Committee (Also in Other New Business to set Bid Date); Item No. 30.10.21 – Request to authorize the Mayor to sign a contract with Schoel Engineering for professional engineering services for College Avenue Storm Infrastructure – Cale Smith, PE – Finance Committee; Item No. 31.10.21 – Request to authorize the Mayor to sign a contract with Schoel Engineering for professional engineering services for Huntington Road Culvert – Cale Smith, PE – Finance Committee; Item No. 33.10.21 – Request to authorize the Mayor to sign a contract with LBYD for Demolition of Citation Court – Berkley Squires – Finance Committee.

President Wyatt then added the following items to the Other New Business Agenda: Item No. 32.10.21 – Request to accept JCPB’s recommendations for Maintenance Repair Worker (Job Class #08633) – Mayor McClusky.

Councilor Smith moved for the approval of the amended Council 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

16.01.15 Update on past, present and future Sidewalk Projects – **Cale Smith/Building, Engineering and Zoning Department**

Action Taken: The Planning and Development Committee met on October 18, 2021 and voted 3-0 to recommend dropping this item. The motion was made by Councilor Sims and seconded by Councilor Wolverton.

Councilor Andress 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. 10.09.21 – Public Hearing set for November 8, 2021 at 6:00 p.m. 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 this item would be carried over for the Public Hearing set for November 8, 2021 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 11.09.21 – Public Hearing set for November 8, 2021 at 6:00 p.m. for consideration of vacation a portion of 27th Terrace South– Mike Mouron/ Wyatt Pugh, Inspections & Permits.

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

The next item on the Agenda under Old Business was Item No. 13.02.21 – Public Hearing 13.02.1 – Public Hearing set for November 8, 2021 at 6:00 p.m. for consideration of changes to the landscaping and tree requirements – Councilors Gwaltney and Andress (The Planning Commission had a vote of 8-0 for a favorable recommendation).

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

The next item on the Agenda under Old Business was Item No. 06.10.21 – Request to authorize the Mayor to execute the Certificate of Estoppel for Brookwood Mall property – Mike Kendrick (Carried Over 10/11/21).

President Wyatt stated that this item would be referred to the Finance Committee to be tabled.

The next item on the Agenda under Old Business was Item No. 01.10.21 – Request for consideration of approval of Shade Creek Greenway Phase 2 – Supplemental Fee Proposal – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on October 18, 2021 and voted 4-0 to recommend approval from Fund 26 for \$54,607.00.

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

Resolution No. 21-156

(A Resolution approving Shade Creek Greenway Phase 2 – Supplemental Fee Proposal)

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. 13.10.21 – Request to advertise and set a bid date for the Lancaster Sidewalk Project – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on October 18, 2021 and voted 4-0 to recommend setting a bid date for November 29, 2021 at 4:40 p.m. with bids due to be submitted by 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. 14.10.21 – Request to advertise and set a bid date for the Saulter Sidewalk Project – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on October 18, 2021 and voted 4-0 to recommend setting a bid date for November 29, 2021 at 4:31 p.m. with bids due to be submitted by 4:30 p.m.

The next item on the Agenda under Old Business was Item No. 15.10.21 – Request for consideration to add two Stormwater Inlets on Bonita Drive – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on October 18, 2021 and voted 4-0 to recommend approval.

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

Resolution No. 21-157

(A Resolution to add two Stormwater Inlets on Bonita Drive)

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. 16.10.21 – Request for consideration of tax incentives for Milo's Tea – President Wyatt.

Councilor Jones stated that the Finance Committee met on October 18, 2021 and voted 4-0 to recommend approval of tax incentives.

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

Resolution No. 21-158

(A Resolution for approval of tax incentives for Milo's Tea)

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. 02.10.21 – Request for consideration of adding street lights to Short Oxmoor – Councilor Sims.

Councilor Jones stated that the Public Safety Committee met on October 18, 2021 and voted 3-0 to recommend approval.

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

Resolution No. 21-159

(A Resolution for approval of adding street lights to Short Oxmoor)

President Wyatt asked if the Council had any questions or comments regarding the motion from the Public Safety 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. 05.10.21 - Request for consideration of an ABC 010 – Lounge Retail Liquor – Class I license for The Grocery Brewpub LLC d/b/a The Grocery located at 2823 Central Avenue, Suite 107 – Melody Salter, CPA, City Clerk/Robert Burgett, Finance Director (Currently licensed for 020 – Restaurant Retail Liquor and requesting to change to 010 – Lounge Retail Liquor – Class I).

Councilor Jones stated that the Public Safety Committee met on October 18, 2021 and voted 3-0 to recommend having no objections pending letters of no objections from the Fire and Police Departments and all Ordinance are followed.

President Wyatt asked if the Council had any questions or comments regarding the motion from the Public Safety 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. 03.10.21 – Request for consideration of a tent variance for Trinity United Methodist Church in order to keep a tent in the parking lot through Christmas – Councilor Smith.

Councilor Smith stated that the Special Issues Committee met on October 18, 2021 and voted 5-0 to recommend approval of extension of tent permit.

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

Resolution No. 21-160

(A Resolution approving a tent variance for Trinity United Methodist Church in order to keep a tent in the parking lot through Christmas)

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.

The next item on the Agenda under Old Business was Item No. 10.08.21 – Request for permission to work in the City Right-of-Way to replace trees at 201 East Linwood – Adam & Katherine Thrower/Councilor Gwaltney.

Councilor Wolverton stated that the Public Works Committee met on October 18, 2021 and voted 5-0 to recommend approval pending indemnification agreement.

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

Resolution No. 21-161

(A Resolution for permission to work in the City Right-of-Way to replace trees at 201 East Linwood)

President Wyatt asked if the Council had any questions or comments regarding the motion from the Public Works 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. 04.10.21 – Request for permission to work in the City Right-of-Way at 208 Oxmoor Road – Cale Smith, PE.

Councilor Wolverton stated that the Public Works Committee met on October 18, 2021 and voted 5-0 to recommend approval pending indemnification agreement.

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

Resolution No. 21-162

(A Resolution for permission to work in the City Right-of-Way at 208 Oxmoor Road)

President Wyatt asked if the Council had any questions or comments regarding the motion from the Public Works Committee. There was no response from the Council.

On a voice vote, the motion carried without dissent.

COMMITTEE REFERRAL AGENDA

- 17.10.21** Request to authorize the Mayor to sign a contract with Kimley Horn for professional services for a stormwater masterplan in the Griffin Brook Creek basin – **Cale Smith, PE – Finance Committee**
- 18.10.21** Request to authorize the Mayor to sign a contract with Volkert, Inc. for professional services for Reese Street Plan updates and Bidding Assistance – **Cale Smith, PE – Finance Committee**
- 19.10.21** Request for permission to remove five or more protected trees at 1572 Berry Road – **Zia Khan, Homeowner / Wyatt Pugh, Inspections and Permits – Special Issues Committee**
- 20.10.21** Request to add a stop sign at the intersection of Saulter Lane and Crest Drive - **Randy Hambley – Public Safety Committee**
- 21.10.21** Request for consideration to revise City Email Policies – **Robert Burgett, Finance Director– Finance Committee**
- 22.10.21** **DROPPED at Council 10/25/21** ~~Request to consider proposal from Rogue IT for professional services – **Robert Burgett, Finance Director and Melody Salter, City Clerk – Finance Committee**~~
- 27.10.21** Request to authorize Mayor to sign contract with Flock Group Inc. for camera system – **Chief Tim Ross/Police and Mayor Patrick McClusky – Finance Committee**
- 30.10.21** Request to authorize the Mayor to sign a contract with Schoel Engineering for professional engineering services for College Avenue Storm Infrastructure – **Cale Smith, PE – Finance Committee**
- 31.10.21** Request to authorize the Mayor to sign a contract with Schoel Engineering for professional engineering services for Huntington Road Culvert – **Cale Smith, PE – Finance Committee**

Councilor Smith 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. 23.10.21 – Request to authorize the Mayor to sign contract and to remit FY 21-22 Budget Appropriation to the Exceptional Foundation – 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. 21-163

(A Resolution to authorize the Mayor to sign contract and to remit FY 21-22 Budget Appropriation to the Exceptional Foundation)

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-163. 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 Old Business was Item No. 24.10.21 – Request to declare Old Montgomery Highway an emergency affecting public health, safety, or convenience – Cale Smith, PE.

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

Resolution No. 21-164

(A Resolution to declare Old Montgomery Highway an emergency affecting public health, safety, or convenience)

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-164. 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. 25.10.21 – Request to authorize the Mayor to set bid date for the Old Montgomery Highway project – Cale Smith, PE.

Councilor Jones moved for this to be determined by the Mayor. 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. 26.10.21 – Request for consideration of an ABC 020 – Restaurant Retail Liquor license for Rodney Scotts BBQ Homewood LLC d/b/a Rodney Scotts BBQ located at 2701 18th Street South, Suite 100 – Melody Salter, CPA, City Clerk/Robert Burgett, Finance Director (Letter of No Objection Received from Police).

Councilor Smith moved for approval for having no objections to the issuance of the license pending letter of no objection from the Fire Department. 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. 27.10.21 – Request to authorize Mayor to sign contract with Flock Group Inc. for camera system – Chief Tim Ross/Police and Mayor Patrick McClusky.

President Wyatt stated that the bid opening would be set for November 15, 2021 at 4:40 p.m. with bids due to be submitted by 4:30 p.m.

The next item on the Agenda under Other New Business was Item No. 28.10.21 – Request to amend FY 21-22 Capital Projects Fund Budget for vehicle purchase – Wyatt Pugh, Inspections and Permits, Lee Garrett/HVAC Technician and Mayor Patrick McClusky.

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

Resolution No. 21-165

(A Resolution to amend FY 21-22 Capital Projects Fund Budget for vehicle purchase)

Councilor Jones moved for the adoption and enrollment of Resolution No. 21-165. 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. 29.10.21 – Request for consideration of approval of vouchers for period of October 12, 2021 through October 25, 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. 21-166

(A Resolution for approval of vouchers for period of October 12, 2021 through October 25, 2021)

Councilor Jones moved for the adoption and enrollment of Resolution No. 21-166. 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. 32.10.21 – Request to accept JCPB's recommendation for Maintenance Repair Worker (Job Class #08633) – Mayor McClusky.

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

Resolution No. 21-167

(A Resolution to accept JCPB's recommendation for Maintenance Repair Worker (Job Class #08633))

Councilor Andress moved for the adoption and enrollment of Resolution No. 21-167. 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.

Councilor Jones stated that the Finance Committee would meet on November 1, 2021 at 5:00 p.m.

Councilor Jones stated that the Public Safety Committee would meet on November 1, 2021 at 5:45 p.m.

Councilor Smith stated that the Special Issues Committee would meet on November 1, 2021 at 6:00 p.m.

Councilor Andress stated that the Planning and Development Committee would meet on November 1, 2021 at 6:30 p.m.

Councilor Wolverton stated that the Public Works Committee would meet on November 1, 2021.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:49 p.m.