

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

December 6, 2021

The City Council of the City of Homewood, Alabama convened in Special Session on Monday, December 6, 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 6:05 p.m.

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

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Regular Called Council Meeting of November 22, 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.

Councilor Gwaltney moved to re-appoint Ryan Dye to the Ward 1 Homewood Environmental Commission. 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 then stated that the application period for the Ward 4 Abatement Board opening would be extended until January 10, 2022 at 4:30 p.m.

Mayor McClusky appointed Abby Chadwell Ward 1 of the Beautification Board.

At this time, President Wyatt added the following item to the Other New Business Agenda: Item No. 29.11 21 – Request to authorize the Mayor to sign an agreement with

the Homewood Chamber of Commerce – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

Councilor Gwaltney moved for the approval of the amended Council 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.

CONSENT AGENDA

07.11.21 Request for consideration for the city to vacate a portion of an unnamed alley between 1703 Shades Park Drive and 1610 Shades Park Cove – **William Siegel, Twin Properties / Wyatt Pugh, Inspections & Permits**

Action Taken: The Special Issues Committee met on November 29, 2021 and voted 5-0 to drop this item. The motion was made by Councilor Andress and seconded by Councilor Sims.

Councilor Hardin moved for the approval of the Consent 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.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 11.11.21 – Public Hearing set for December 6, 2021 at 6:00 p.m. for consideration to rezone 1832 25th Court South (PID 28-00-07-2-001-065.000) from a I-2 (Institutional District) to NPD (Neighborhood Preservation District): Applicant: Trent Beasley/Owner: HBI, LLC to permit the renovation of an existing non-conforming, single-family house (The Planning Commission had a vote of 6-0 for a favorable recommendation of the rezone) – Wyatt Pugh.

Melody Salter, City Clerk stated that the Planning and Development Committee met on November 15, 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 6:11 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.

Cale Smith, City Engineer and Trent Beasley addressed the Council regarding this item.

Councilor Alemán entered the Council Chambers at 6:14 p.m.

President Wyatt declared the Public Hearing closed at 6:15p.m.

President Wyatt asked of the Council had any questions or comments regarding this item. There was no response from the Council.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:15 p.m.:

Ordinance No.

(An Ordinance to rezone 1832 25th Court South (PID 28-00-07-2-001-065.000) from a I-2 (Institutional District) to NPD (Neighborhood Preservation District): Applicant: Trent Beasley/Owner: HBI, LLC to permit the renovation of an existing non-conforming, single-family house)

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. 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 for unanimous consent carried.

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

Ordinance No. 2820

(An Ordinance to rezone 1832 25th Court South (PID 28-00-07-2-001-065.000) from a I-2 (Institutional District) to NPD (Neighborhood Preservation District): Applicant: Trent Beasley/Owner: HBI, LLC to permit the renovation of an existing non-conforming, single-family house)

Councilor Smith moved for the enrollment and adoption and publication according to law of Ordinance No. 2820. 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 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.

The next item on the Agenda under Old Business was Item No. 25.11.21 – Bid Opening Date set for December 6, 2021 and 5:30 p.m. with bids due at 4:30 p.m. for two Police Harley-Davidson motorcycles – Chief Ross and Corporal Self.

Councilor Jones stated that the Finance Committee met earlier today, prior to the Council Meeting, and reviewed two bids.

Deputy Chief Sutton addressed the Council and recommended accepting the bid from Riders Harley-Davidson in the amount of \$20,959.00 for each motorcycle.

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

Resolution No. 21-187

(A Resolution to accept bid from Riders Harley-Davidson for two Police Harley-Davidson motorcycles)

Councilor Jones moved for the adoption and enrollment of Resolution No. 21-187. 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. 01.11.21 – Bid Opening set for December 20, 2021 at 4:31 p.m. for mowing/landscaping of state right-of-way areas in Homewood – Berkley Squires.

President Wyatt stated that this item would be carried over for the Bid Opening set for December 20, 2021 at 4:31 p.m.

The next item on the Agenda under Old Business was Item No. 26.11.21 – Public Hearing set for December 20, 2021 at 6:00 p.m. for consideration of a fence setback variance on a lot with two front yards to reduce the required setback from 15' to 0' at 3101 Roxbury Road – Joey Miller, Homeowner / Wyatt Pugh, Inspections & Permits.

President Wyatt stated that this item would be carried over for the Public Hearing set for December 20, 2021 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 24.11.21 – Request to authorize the Mayor to sign a contract with Hixson Consultants in the amount of \$16,730 to create the scope of work and bid package for City Hall repairs – Wyatt Pugh, Building Dept. / Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

Councilor Smith stated that the Finance Committee met on November 29, 2021 and voted 3-0 to recommend approval of funding from Capital Carry Over Fund Balance.

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

Resolution No. 21-188

(A Resolution to authorize the Mayor to sign a contract with Hixson Consultants in the amount of \$16,730 to create the scope of work and bid package for City Hall repairs)

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. 30.11.21 – Request for consideration in reduction of sales at 307 Oxmoor Road due to Jeff Co Sewer Issues – Mayor McClusky.

Councilor Smith stated that the Finance Committee met on November 29, 2021 and voted 3-0 to recommend approval of reduction in sales price.

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

Resolution No. 21-189

(A Resolution to approve the reduction of sales at 307 Oxmoor Road due to Jeff Co Sewer Issues)

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. 18.09.21 – Request to consider that members of the Beautification Board as ward representatives be appointed by the Council – Nick Sims.

Councilor Smith stated that the Special Issues Committee met on November 29, 2021 and voted 5-0 to recommend approval of a 15 member board with 10 Ward specific and 5 At-Large for a four year period.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:23 p.m.:

Ordinance No.

(An Ordinance to approve that members of the Beautification Board as ward representatives be appointed by the Council)

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, 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. 2821

(An Ordinance to approve that members of the Beautification Board as ward representatives be appointed by the Council)

Councilor Smith moved for the enrollment and adoption and publication according to law of Ordinance No. 2821. 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.

The next item on the Agenda under Old Business was Item No. 21.11.21 – Request for Mayor to sign Multi-Jurisdictional Hazard Mitigation Plan with FEMA – Mayor McClusky and J.J. Bischoff, Chief of Staff.

Councilor Smith stated that the Special Issues Committee met on November 29, 2021 and voted 5-0 to recommend approval.

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

Resolution No. 21-190

(A Resolution to approve the Mayor to sign Multi-Jurisdictional Hazard Mitigation Plan with FEMA)

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. 22.11.21 – Request for Mayor to sign Memorandum of Understanding between the Jefferson County Commission and the City of Homewood regarding debris removal and monitoring services following a natural disaster – Mayor McClusky and J.J. Bischoff, Chief of Staff.

Councilor Smith stated that the Special Issues Committee met on November 29, 2021 and voted 5-0 to recommend approval.

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

Resolution No. 21-191

(A Resolution to approve the Mayor to sign Memorandum of Understanding between the Jefferson County Commission and the City of Homewood regarding debris removal and monitoring services following a natural disaster)

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. 19.11.21 – Request permission to work in the right-of-way at 1608 Ridge Road – Jason and Meredith Price, Homeowners/Wyatt Pugh, Building Department.

Councilor Wolverton stated that the Public Works Committee met on November 29, 2021 and voted 5-0 to recommend approval pending Cale Smith's approval of plans.

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

Resolution No. 21-192

(A Resolution for permission to work in the right-of-way at 1608 Ridge 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

- 01.12.21** Request for consideration for observing Juneteenth as a City Holiday – **Mayor McClusky – Finance Committee**
- 02.12.21** Request for consideration of Forest Brook sidewalk and traffic calming project (Engineering and Design Work on Forest Brook Drive from Forest Brook Circle to West Oxmoor Road via Shades Glen Drive and Delcris Drive – **Councilors Alemán and Wolverton – Planning and Development Committee**
- 03.12.21** Request for consideration for specific enforcement option for the City of Homewood residential occupancy ordinance – **Councilor Gwaltney – Public Safety Committee**
- 04.12.21** Request for consideration of amending the Zoning Ordinance to include the Fence Regulations – **Councilor Alemán – Special Issues Committee**
- 05.12.21** Request for consideration of amending the Zoning Ordinance to include the Sign Regulations – **Councilor Alemán – Special Issues Committee**
- 06.12.21** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a sign variance at 1811 29th Avenue South – **Preston Foy, Wallace-Burke Fine Jewelry / Wyatt Pugh, Building Dept. – Special Issues Committee**

Councilor Nelms moved to approve the Committee Referral 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.

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No. 06.12.21 – Request to set a Public Hearing for consideration of a sign variance at 1811 29th Avenue South – Preston Foy, Wallace-Burke Fine Jewelry / Wyatt Pugh, Building Dept.

President Wyatt stated that the Public Hearing would be set for December 20, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 07.12.21 – Request to authorize the Mayor to sign contract with the Assistance League of Birmingham (Operation School Bell) and pay FY 21-22 Appropriation– Robert Burgett, Finance Director and Melody Salter, City Clerk.

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

Resolution No. 21-193

(A Resolution to authorize the Mayor to sign contract with the Assistance League of Birmingham (Operation School Bell) and pay FY 21-22 Appropriation)

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-193. 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. 08.12.21 – Request for consideration of approval of vouchers for period of November 23, 2021 through December 6, 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. 21-194

(A Resolution for approval of vouchers for period of November 23, 2021 through December 6, 2021)

Councilor Jones moved for the adoption and enrollment of Resolution No. 21-194. 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. 09.12.21 – Request to authorize the Mayor to sign an agreement with the Homewood Chamber of Commerce – 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. 21-195

(A Resolution to authorize the Mayor to sign an agreement with the Homewood Chamber of Commerce)

Councilor Jones moved for the adoption and enrollment of Resolution No. 21-195. 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.

President Wyatt stated that a Special Called Council would be set for December 13, 2021 at 4:50 p.m. for the sole purpose to discuss Item No. 12.11.21 – Bid Opening set for December 7, 2021 at 10:00 a.m. for the 18th Street Alley Improvements Project – Cale Smith, PE.

Councilor Jones stated that the Finance Committee would meet on December 13, 2021 at 5:00 p.m.

Councilor Gwaltney stated that the Public Safety Committee would meet on December 13, 2021 at 5:30 p.m.

Councilor Wolverton stated that the Public Works Committee would meet on December 13, 2021 at 5:45 p.m.

Councilor Smith stated that the Special Issues Committee would meet on December 13, 2021 at 6:00 p.m.

Councilor Andress stated that the Planning and Development Committee would meet on December 13, 2021 at 6:15 p.m.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:40 p.m.