

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

December 18, 2023

The City Council of the City of Homewood, Alabama convened in Special Session on Monday, December 18, 2023 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 6:07 p.m.

Upon Roll Call, the following were present: Andy Gwaltney, Melanie Geer, Carlos Alemán, Andrew Wolverton, Nick Sims, Walter Jones, Barry Smith, Jaleté Nelms, Jennifer Address, John Hardin, and Alex Wyatt constituting a quorum of Council members. Also present were: Mike Kendrick, City Attorney; J.J. Bischoff, Chief of Staff; Mayor Patrick McClusky, Melody Salter, City Clerk; and Bo Seagrist, Senior Revenue Examiner.

At this time, Councilor Alemán moved to dispense with the reading of the Minutes of the Council Meeting of December 11, 2023 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 amended the published Council Agenda to add the following items to the Old Business Agenda: From the Finance Committee: Item No. PE; Item No. 13.09.23 – Request to amend FY 22-23 budgets – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk; Item No. 14.10.23 – Bid Opening set for December 11, 2023 at 4:31 p.m. for Delcris Drive Sidewalk Phase II – Cale Smith, PE; 01.12.23 – Request to set Bid Date on January 8, 2024 for Reese Street Sidewalk Improvements – Cale Smith; Item No. 02.12.23 – Request to authorize the Mayor to execute a letter to ALDOT for the addition of exterior lighting at the Greenway PH II parking lot – Cale Smith, PE; Item No. 03.12.23 – Request to create and hire IT Director – J.J. Bischoff, Chief of Staff / Mayor McClusky; Item No. 04.12.23 – Request to create and hire PC Network Technician – J.J. Bischoff, Chief of Staff / Mayor McClusky; Item No. 05.12.23 – Request for consideration to add the position of Administration Supervisor to the Permits and Inspections Department – Wyatt Pugh, Building Official; From the Special Issues Committee – Item No. 08.12.23 – Request to set a Public Hearing for consideration of sign variances for SouthPoint Bank at 1720 28th Avenue South – SouthPoint Bank / Melissa Zavaleta, Knight Signs / Wyatt Pugh, Building

Official; From the Planning and Development Committee: Item No. 07.10.23 – Request to set a Public Hearing for consideration of proposed revisions to the City’s Zoning Ordinance (Planning Commission voted 9-0 in favor of recommending approval) – Cale Smith, PE; Item No. 11.11.23 – Request to consider proposed amendments to the Homewood Sign Ordinance – Wyatt Pugh, Building Official.

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

None.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 13.11.23 – Public Hearing Continued from December 11, 2023 at 6:00 p.m. for consideration of sign variance(s) for Hero Restaurant at 1726 28th Avenue South – Pihakis Restaurant Group / Don Hawes, Signage – Wyatt Pugh, Building Official (Public Hearing Continued and Item Carried Over 12/11/23).

Councilor Smith stated that the Special Issues Committee met on December 4, 2023 and voted 4-0 to refer this item to the full Council without recommendation pending the Public Hearing.

President Wyatt continued the Public Hearing.

Don Hawes addressed the Council regarding this item.

President Wyatt declared the Public Hearing closed at 6:18 p.m.

President Wyatt asked if the Council had any questions or comments regarding this item. The Council then held discussion.

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

Resolution No. 23-189

(A Resolution for a sign variance for one additional sign at Hero Restaurant at 1726 28th Avenue South)

Councilor Alemán moved for the adoption and enrollment of Resolution No. 23-189. 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. 18.11.23 – Public Hearing set for January 8, 2024 at 6:00 p.m. for consideration to approve the Amended Development Plan at 800 Lakeshore Drive (PID # 29-00-13-4-010-003.000 and 28-00-18-3-001.009.003) for Samford University to permit the proposed construction of a new five-story, 515-bed Freshman Residence Hall, comprising a total of 142,737 GSP, intended to accommodate the University's on-going student housing needs. (Zoning: I-3 (Institutional District) Applicant: Caleb Martin, PE / LBYD Engineers, Inc./ Owner: Samford University / Jeff Poleshek (The Planning Commission had a vote of 8-0 for a favorable recommendation) – Cale Smith, PE.

President Wyatt stated that this item would be carried over for the Public Hearing set for January 8, 2023 at 6:00 p.m.

The next item considered under Old Business was Item No. 13.09.23 – Request to amend FY 22-23 budgets – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk (Recommendation to Council 11/6/23 and Carried Over in Committee for further items 12/4/23).

Councilor Jones stated that the Finance Committee met on December 18, 2023, prior to the Council Meeting and voted 3-0 to recommend approval.

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

Resolution No. 23-190

(A Resolution to amend FY 22-23 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 considered under Old Business was Item No. 14.10.23 – Bid Opening set for December 11, 2023 at 4:31 p.m. for Delcris Drive Sidewalk Phase II – Cale Smith, PE (Carried Over 12/4/23).

Councilor Jones stated that the Finance Committee met on December 18, 2023, prior to the Council Meeting and voted 3-0 to recommend accepting the bid from Southern Seal Coating.

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

Resolution No. 23-191

(A Resolution accepting bid from Southern Seal Coating for Delcris Drive Sidewalk 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 considered under Old Business was Item No. 01.12.23 – Request to set Bid Date on January 8, 2024 for Reese Street Sidewalk Improvements – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on December 18, 2023, prior to the Council Meeting and voted 4-0 to recommend setting the Bid Date for January 8, 2024 at 4:30 p.m.

President Wyatt stated that the Bid Date would be set for January 8, 2023 at 4:30 p.m.

The next item considered under Old Business was Item No. 02.12.23 – Request to authorize the Mayor to execute a letter to ALDOT for the addition of exterior lighting at the Greenway PH II parking lot – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on December 18, 2023, prior to the Council Meeting and voted 4-0 to recommend approval.

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

Resolution No. 23-192

(A Resolution to authorize the Mayor to execute a letter to ALDOT for the addition of exterior lighting at the Greenway PH II parking lot)

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 considered under Old Business was Item No. 03.12.23 – Request to create and hire IT Director – J.J. Bischoff, Chief of Staff / Mayor McClusky.

Councilor Jones stated that the Finance Committee met on December 18, 2023, prior to the Council Meeting and voted 4-0 to recommend approval.

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

Resolution No. 23-193

(A Resolution to create and hire IT Director)

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 considered under Old Business was Item No. 04.12.23 – Request to create and hire PC Network Technician – J.J. Bischoff, Chief of Staff / Mayor McClusky.

Councilor Jones stated that the Finance Committee met on December 18, 2023, prior to the Council Meeting and voted 4-0 to recommend approval.

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

Resolution No. 23-194

(A Resolution to create and hire PC Network Technician)

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 considered under Old Business was Item No. 05.12.23 – Request for consideration to add the position of Administration Supervisor to the Permits and Inspections Department – Wyatt Pugh, Building Official.

Councilor Jones stated that the Finance Committee met on December 18, 2023, prior to the Council Meeting and voted 4-0 to recommend approval.

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

Resolution No. 23-195

(A Resolution to add the position of Administration Supervisor to the Permits and Inspections Department)

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 considered under Old Business was Item No. 08.12.23 – Request to set a Public Hearing for consideration of sign variances for SouthPoint Bank at 1720 28th Avenue South – SouthPoint Bank / Melissa Zavaleta, Knight Signs / Wyatt Pugh, Building Official.

Councilor Smith stated that the Special Issues Committee met on December 18, 2023, prior to the Council Meeting and voted 5-0 set the Public Hearing for January 8, 2023 and to refer this item to the full Council without recommendation pending the Public Hearing.

President Wyatt stated that the Public Hearing would be set for January 8, 2023 at 6:00 p.m.

The next item considered under Old Business was Item No. 07.10.23 – Request to set a Public Hearing for consideration of proposed revisions to the City’s Zoning Ordinance (Planning Commission voted 9-0 in favor of recommending approval) –Cale Smith, PE.

Councilor Andress stated that the Planning and Development Committee met on December 18, 2023, prior to the Council Meeting and voted 5-0 set the Public Hearing for January 29, 2023 and to refer this item to the full Council without recommendation pending the Public Hearing.

President Wyatt stated that the Public Hearing would be set for January 29, 2023 at 6:00 p.m.

The next item considered under Old Business was Item No. 11.11.23 – Request to consider proposed amendments to the Homewood Sign Ordinance – Wyatt Pugh, Building Official (Carried Over 12/4/23).

Councilor Andress stated that the Planning and Development Committee met on December 18, 2023, prior to the Council Meeting and voted 5-0 set the Public Hearing for January 29, 2023 and to refer this item to the full Council without recommendation pending the Public Hearing.

President Wyatt stated that the Public Hearing would be set for January 29, 2023 at 6:00 p.m.

COMMITTEE REFERRAL AGENDA

11.12.23 Request for consideration of improvements to crosswalk at Oxmoor Road and Bridge Lane – **Councilor Gwaltney – Public Safety Committee**

- 12.12.23 Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration to approve amendment to the previously approved Final Development Plan at 815 Green Springs Highway (PID # 29-00-23-1-002-002.000) for the “the Edge” mixed-use development project intended to reflect the approved resurvey and subdivision of the subject property’s current 4-acre site into two separate lots to facilitate future development. (Zoning: GURD (Green Springs Urban Renewal District) Applicant: Brian Hatcher / LBYD Engineers, Inc./ Owner: Greensprings Development, LLC / J.J. Thomas. (The Planning Commission had a vote of 5-0 for a favorable recommendation) – **Cale Smith, PE – Planning and Development Committee**
- 13.12.23 Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration to rezone 3011 Firefighter Lane (PID # 28-00-07-3-032-008.001) from R-5 (Attached Dwelling Unit District) to R-7 (Attached Dwelling Unit District). Applicant: R. Shane Davis; Owner: Laura Brasseale to permit the construction of a two-unit townhouse development, consisting of a total of 3,647 sq.ft. (The Planning Commission had a vote of 5-0 for a favorable recommendation) – **Cale Smith, PE – Planning and Development Committee**

Councilor Smith moved to approve the 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. 12.12.23 – Request to set a Public Hearing for consideration to approve amendment to the previously approved Final Development Plan at 815 Green Springs Highway (PID # 29-00-23-1-002-002.000) for the “the Edge” mixed-use development project intended to reflect the approved resurvey and subdivision of the subject property’s current 4-acre site into two separate lots to facilitate future development. (Zoning: GURD (Green Springs Urban Renewal District) Applicant: Brian Hatcher / LBYD Engineers, Inc./ Owner: Greensprings Development, LLC / J.J. Thomas. (The Planning Commission had a vote of 5-0 for a favorable recommendation) – Cale Smith, PE.

President Wyatt stated that the Public Hearing would be set for January 29, 2023 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 13.12.23 – Request to set a Public Hearing for consideration to rezone 3011 Firefighter Lane (PID # 28-00-07-3-032-008.001) from R-5 (Attached Dwelling Unit District) to R-7 (Attached Dwelling Unit District). Applicant: R. Shane Davis; Owner: Laura Brasseale to permit the construction of a two-unit townhouse development, consisting of a total of 3,647 sq.ft. (The Planning Commission had a vote of 5-0 for a favorable recommendation) – Cale Smith, PE.

President Wyatt stated that the Public Hearing would be set for January 29, 2023 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 14.12.23 – Request for consideration of approval of vouchers for period of December 12, 2023 through December 18, 2023 – 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. 23-196

(A Resolution for approval of vouchers for period of December 12, 2023 through December 18, 2023)

Councilor Hardin moved for the adoption and enrollment of Resolution No. 23-196. 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 the Committees would meet on January 8, 2024, prior to the Council Meeting, starting with the Finance Committee at 4:30 p.m. with Public Safety, Special Issues, and Planning and Development meeting immediately following the previous meeting. The Public Works Committee meeting was not scheduled.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:42 p.m.