

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

June 12, 2023

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, June 12, 2023 at City Hall at 6:00 p.m.

At this time, Mayor McClusky presented a Proclamation to Charlie Douthit, recognizing his ten years of service on the School Board.

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

The meeting was called to order by President Wyatt at 6:10 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, and Melody Salter, City Clerk.

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

President Wyatt opened the application period for the Ward 1 Library Board position until July 26, 2023 at 4:30 p.m. and opened the Ward 3 Historic Preservation position until July 17, 2023 at 4:30 p.m.

Councilor Gwaltney moved for the approval of the published Council Agenda. Councilor Wolverton 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

11.05.23 Request permission to schedule **Bid Opening on July 10, 2023 at 4:45 p.m.** for creek wall replacement project – **Cale Smith, PE**

Action Taken: The Finance Committee met on June 6, 2023 and voted 3-0 to recommend dropping this item. The motion was made by Councilor Gwaltney and seconded by Councilor Hardin.

05.02.23 Request for discussion of changes to the traffic calming installation on Morris Blvd. – **Councilor Sims**

Action Taken: The Public Safety Committee met on June 6, 2023 and voted 4-0 to recommend dropping this item. The motion was made by Councilor Jones and seconded by Councilor Nelms.

Councilor Hardin moved for the approval of the Consent 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.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 08.05.23 – Public Hearing set for June 12, 2023 at 6:00 p.m. for consideration of economic development incentives located at 195 Oxmoor Road/536 Cobb Street – Village Creek Development & SHA, LLC / President Wyatt.

Councilor Jones stated that the Finance Committee met on May 15, 2023 and voted 5-0 to refer this item to the full Council without recommendation pending the Public Hearing.

President Wyatt declared the Public Hearing opened at 6:14 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.

Tom Walker, President of Village Creek Development addressed the Council regarding this item.

President Wyatt then declared the Public Hearing closed at 6:17 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. 23-73

(A Resolution for economic development incentives located at 195 Oxmoor Road/536 Cobb Street)

Councilor Alemán moved for the adoption and enrollment of Resolution No. 23-73. Councilor Wolverton 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. 06.04.23 – Public Hearing set for June 12, 2023 at 6:00 p.m. for consideration to vacate a portion of unnamed city Right-of-Way adjacent to 328 Redfern Street – David Mitchell / Wyatt Pugh, Inspections & Permits.

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 of, or in opposition to, this item.

Bob Fowlkes and David Mitchell addressed the Council regarding this item.

President Wyatt then declared the Public Hearing closed at 6:25 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. 23-74

(A Resolution to vacate a portion of unnamed city Right-of-Way adjacent to 328 Redfern Street)

Councilor Smith moved for the adoption and enrollment of Resolution No. 23-74. 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. 14.05.23 – Public Hearing set for June 12, 2023 at 6:00 p.m. for consideration of sign variance(s) at 2724 18th Street South – George Barber / Wyatt Pugh, Inspections & Permits.

President Wyatt declared the Public Hearing opened at 6:27 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.

Wyatt Pugh addressed the Council regarding this item.

President Wyatt then declared the Public Hearing closed at 6:30 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. 23-75

(A Resolution for a sign variance(s) at 2724 18th Street South)

Councilor Andress moved for the adoption and enrollment of Resolution No. 23-75. 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. 05.04.23 – Request to set Bid Date for the City Hall parking deck repair and restoration project – Wyatt Pugh, Inspections & Permits.

Councilor Jones stated that the Finance Committee met on June 5, 2023 and voted 3-0 to recommend bid opening date of July 18, 2023 at 2:00 p.m.

President Wyatt stated that the Bid Opening would be set for July 18, 2023 at 2:00 p.m.

The next item on the Agenda under Old Business was Item No. 09.05.23 – Request for consideration to amend the FY22-23 Budget – Cale Smith, PE / Berkley Squires, Park / Chief Ross, Police Dept. / Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

Councilor Jones stated that the Finance Committee met on June 5, 2023 and voted 3-0 to recommend approval.

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

Resolution No. 23-76

(A Resolution to amend the FY22-23 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.

The next item on the Agenda under Old Business was Item No. 10.05.23 – Request permission to schedule Bid Opening on July 10, 2023 at 4:31 p.m. for the Saulters Road Pocket Park Project – Cale Smith, PE.

Councilor Jones stated that the Finance Committee met on June 5, 2023 and voted 3-0 to recommend bid opening date of July 10, 2023 at 4:31 p.m.

The next item on the Agenda under Old Business was Item No. 12.05.23 – Request to authorize the Mayor to sign maintenance agreement with Motorola for the public safety radio system – Chief Hill, Fire Dept.

Councilor Jones stated that the Finance Committee met on June 5, 2023 and voted 3-0 to recommend approval.

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

Resolution No. 23-77

(A Resolution to authorize the Mayor to sign maintenance agreement with Motorola for the public safety radio system)

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. 13.05.23 – Request permission to work in the City Right-of-Way along Evergreen Avenue and Highland Road – Cale Smith, PE.

Councilor Wolverton stated that the Public Works Committee met on June 5, 2023 and voted 3-0 to recommend approval.

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

Resolution No. 23-78

(A Resolution to work in the City Right-of-Way along Evergreen Avenue and Highland 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

- 01.06.23** Request to amend contract with CB&A Construction, LLC for Delcris Drive Sidewalk Project PH I – **Cale Smith, PE – Finance Committee**
- 02.06.23** Request permission to add Senior Engineering Inspector position – **Cale Smith, PE – Finance Committee**
- 03.06.23** Request to authorize the Mayor to sign an ADEM Grant Application for stormwater funding – **Cale Smith, PE – Finance Committee**

- 04.06.23** Request to authorize the Mayor to sign agreement with Vulcan Park for Thunder of the Mountain – **J.J. Bischoff, Chief of Staff – Finance Committee**
- 05.06.23** Request to amend FY 22-23 Budgets – **Berkley Squires, Public Services Director – Finance Committee**
- 06.06.23** Request permission to close Oxmoor Road and detour traffic for a Birmingham Water Works mainline tap – **Birmingham Water Works / Cale Smith, PE – Public Safety Committee**
- 07.06.23** Request permission work in the Right-of-Way at 2812 18th Street South – **Jeff Robinson / Wyatt Pugh, Building Dept. – Public Works Committee**
- 08.06.23** Request permission work in the Right-of-Way at 2844 18th Street South – **Chris Jones, Wayne’s / Wyatt Pugh, Building Dept. – Public Works Committee**
- 09.06.23** Request for nomination for ALDOR Board of Equalization – **Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk – Special Issues Committee**
- 10.06.23** Request permission to vacate a permanent easement at Second Presbyterian Church – **Cale Smith, PE – Planning and Development Committee**
- 11.06.23** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration to approve a Final Development Plan for 169/173 Oxmoor Road (PID # 29-00-23-2-003-005.000) / (PID # 29-00-23-2-003-006.000. Applicant: Under Vulcan LLC /Owner: Under Vulcan LLC (Brian Krogsgard) for the proposed redevelopment of an existing two-story office building as the site for a new, mixed-use development comprising a combination of retail / restaurant uses on the ground floor, and office space on the second floor, as well as appropriate parking, landscaping, and other site improvements (The Planning Commission had a vote of 6-0 for a favorable recommendation) – **Cale Smith – Planning and Development Committee**

Councilor Gwaltney moved to approve the published Committee Referral 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.

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No. 11.06.23 – Request to set a Public Hearing for consideration to approve a Final Development Plan for 169/173 Oxmoor Road (PID # 29-00-23-2-003-005.000) / (PID # 29-00-23-2-003-006.000. Applicant: Under Vulcan LLC /Owner: Under Vulcan LLC (Brian Krogsgard) for the proposed redevelopment of an existing two-story office building as the site for a new, mixed-use development comprising a combination of retail / restaurant uses on the ground floor, and office space on the second floor, as well as appropriate parking, landscaping, and other site improvements (The Planning Commission had a vote of 6-0 for a favorable recommendation) – Cale Smith, PE.

President Wyatt stated that the Public Hearing would be set for July 10, 2023 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 12.06.23 – Request to authorize the Mayor to sign facilities use agreement – Cody Gilkeson, Key Assistance Location Manager / J.J. Bischoff, Chief of Staff.

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

Resolution No. 23-79

(A Resolution to authorize the Mayor to sign facilities use agreement)

Councilor Smith moved for the adoption and enrollment of Resolution No. 23-79. 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 Other New Business was Item No. 13.06.23 – Request for consideration of approval of vouchers for period of May 23, 2023 through June 12, 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. 23-80

(A Resolution for approval of vouchers for period of May 23, 2023 through June 12, 2023)

Councilor Jones moved for the adoption and enrollment of Resolution No. 23-80. 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 June 26, 2023 prior to the Council Meeting starting with the Finance Committee at 4:00 p.m. with Public Safety, Public Works, Special Issues, and the Planning and Development Committees meeting immediately following the previous meeting.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:54 p.m.