

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: March 7, 2016

TIME: 6:00 P.M.

PLACE: Hoover Municipal Center

PRESENT: Mayor Gary Ivey
Mr. Jack Wright, Council President
Mr. John Greene, Council Member
Admiral Jack Natter, Council Member
Mr. Joe Rives, Council Member
Mr. Gene Smith, Council Member

ABSENT: Mr. John Lyda, Council Member
Mr. Brian Skelton, Council President Pro-Tempore

ALSO PRESENT: Mr. Charlie Waldrep, Waldrep Stewart & Kendrick, City Attorney
Ms. Leslie Klasing, Waldrep Stewart & Kendrick
Ms. April Danielson, Waldrep Stewart & Kendrick
Mr. Nic Waddell, Waldrep Stewart & Kendrick
Mr. Bob House, House Consultants
Ms. Linda Andrews, Library Director
Chief Nick Derzis, Police Chief
Mr. Mike Lewis, Director, Human Resources
Mr. Frank Lopez, Director, Revenue and Taxation
Dr. Melinda Lopez, Director, Information Management & Reporting
Mr. Allen Pate, Executive Director
Mr. Ben Powell, Purchasing Director
Mr. Don Reilly, Director, Inspection Services
Mr. Tim Westhoven, Assistant Executive Director
Chief Chuck Wingate, Fire Chief
Mr. Robert Yeager, Finance Director

The meeting was called to order by Council President Jack Wright.

The clerk had roll call and a quorum was present.

The clerk gave the invocation.

The Pledge of Allegiance was led by Mr. Rives.

1. **REPORTS**

The City Attorney read a **Proclamation** declaring the week of March 20 through March 26, 2016 as **National Safe Place Week**. Mayor Ivey presented the framed proclamation to Susan Johnston with Family Connection, Inc.

The City Attorney read a **Proclamation** declaring the month of March, 2016 as **National Developmental Disability Awareness Month**. Mayor Ivey presented the framed proclamation to Ashton Johnson with The Arc of Jefferson County.

The City Attorney read a **Proclamation** declaring the week of March 6 through 12, 2016 as **Women In Construction Week**. Mayor Ivey presented the framed proclamation to Virnetta Woodbury.

The City Attorney read a **Proclamation** declaring the month of March, 2016 as **Autoimmune Diseases Awareness Month**. Mayor Ivey presented the framed proclamation to Daven Woods.

The City Attorney read a **Proclamation** declaring the weekend of February 26 through 28, 2016 as **National Girl Scout Cookie Weekend**. Mayor Ivey presented the framed proclamation to Staci Woodard and a group of girl scouts.

Author, **Heather Skaggs**, presented the final cover for her new book about **Riverchase** that will be coming out in October in the *Images of Modern America* series.

Mr. Rives made a motion to **reappoint Fire Chief, John Wingate**, to the **Medical Clinic Board** effective April 5, 2016. This motion was seconded by Mr. Smith. On voice vote the motion carried unanimously.

2. **MINUTES**

Mr. Wright stated each member of the Council had previously received a copy of the minutes of the February 15, 2016 regular meeting and the March 3, 2016 work session.

Mr. Smith made a motion that the minutes be approved as presented and to dispense with the reading. This motion was seconded by Mr. Rives. Mr. Wright called for discussion. There being none, on voice vote the motion carried unanimously.

3. **RESOLUTION NO. 5379-16 – AUTHORIZE FIRE HYDRANT INSTALLATION ON ATI PARKWAY FOR JOE HUDSON COLLISION CENTER**

The City Attorney read Resolution No. 5379-16. This would authorize the Birmingham Water Works Board to install a fire hydrant on ATI Parkway for the Joe Hudson Collision Center.

Mr. Smith made a motion to approve **Resolution No. 5379-16**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

4. **RESOLUTION NO. 5380-16 – AUTHORIZE MAYOR TO EXECUTE CONTRACT AND PURCHASE ORDER WITH VERIZON WIRELESS FOR CELLULAR SERVICE**

The City Attorney read Resolution No. 5380-16. This would authorize the Mayor to execute a cellular service contract and purchase order with Verizon Wireless.

Mr. Smith made a motion to approve **Resolution No. 5380-16**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience.

Mr. Smith inquired as to how this contract compared to the previous one. Mr. Yeager said it is slightly less than what the city was paying on the state contract. Admiral Natter noted that the fine print showed \$40 per line per month. Mr. Yeager said the city was previously paying \$43 per month.

There being no additional discussion, on voice vote the motion carried unanimously.

5. **RESOLUTION NO. 5381-16 – AUTHORIZE MAYOR TO EXECUTE AGREEMENTS REGARDING PURCHASE OF MOTOROLA RADIO SYSTEM UPGRADE**

The City Attorney read Resolution No. 5381-16. This would authorize the Mayor to execute an Installment Payment Agreement and a Communications System Agreement with Motorola Solutions, Inc. regarding the purchase of the Motorola Radio System upgrade to the Police Department's communication system; and a Shared Use Agreement with the Birmingham Emergency Communications District.

Mr. Smith made a motion to approve **Resolution No. 5381-16**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience.

Mr. Greene inquired as to the total amount. Mr. Yeager answered approximately \$970,000 per year. There will be a total of five payments. Mr. Greene said he understood that the city would maintain the insurance. Mr. Yeager stated that was correct. Admiral Natter inquired as to the last time the radio system was updated. Chief Derzis answered twenty years ago. He said this update should be good for ten years. Mr. Greene asked when this new update would be operational. Executive Officer Jehad Al Dakka said it would be done in stages and should be completed by the end of the year. Admiral Natter asked what capabilities this system will give that the old one would not. Officer Al Dakka said the old system was analog and the new one will be a digital platform that will give the ability to communicate with other regions within the State of Alabama. Mr. Smith asked if this would be a complete replacement of all radios within the department. Officer Al Dakka answered yes. Mr. Smith asked Mr. Yeager if the payments would be without interest. Mr. Yeager answered yes. Mr. Greene inquired as to the other agencies involved. Officer Al Dakka said the State of Alabama's cores are Birmingham, Jefferson County, Huntsville, Madison County, Baldwin County, Calhoun County, and the University of Alabama. Municipalities will be able to tie into these cores. Hoover will be tying into Birmingham/Jefferson County core. Other surrounding agencies (such as Vestavia Hills, Pelham, Mountain Brook, and Homewood) are trying to connect to the same core and get to the same platform in order to communicate to each other. Mr. Rives said that going from analog to digital would probably provide the police with better coverage within the City of Hoover. Officer Al Dakka concurred.

Mr. Arnold Singer, 613 Riverhaven Drive, asked would the city be retaining the analog frequencies it has with the current radio system. Officer Al Dakka answered yes.

There being no additional discussion, on voice vote the motion carried unanimously.

6. **CHANGE ORDER NO. 1 – LESTER LANE SIDEWALK PROJECT**

Mr. Wright stated this item is dealing with the approval of Change Order No. 1 to the Lester Lane Sidewalk Project.

Mr. Smith made a motion to approve the change order. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

7. **ABC APPLICATION – 140 – SPECIAL EVENTS RETAIL – BEEF O’BRADY’S ST. PATRICK’S DAY CELEBRATION – PARKING LOT OF 5519 GROVE BLVD, SUITE 101**

Mr. Wright stated this is a request for approval of an ABC Application (140 – Special Events Retail) for GEMCO, LLC d/b/a Beef O’Brady’s St. Patrick’s Day Celebration for event to be held on 3/19/16 in the parking lot of The Grove Shopping Center, 5519 Grove Boulevard, Suite 101.

Mr. Greene made a motion to **approve the ABC Application**. This motion was seconded by Mr. Rives. Mr. Wright called for comments or question from the Council or the audience. There being none, on voice vote the motion carried unanimously.

8. **2ND READING ORDINANCE NO. 16-2295 – ANNEX 1833 BURNING TREE CIRCLE OWNED BY ROBERT AND MARGARET GORNATI**

The City Attorney had the Second Reading of Ordinance No. 16-2295. This would annex property located at 1833 Burning Tree Circle, owned by Robert and Margaret Gornati.

Mr. Smith made a motion to adopt **Ordinance No. 16-2295**. This motion was seconded by Mr. Rives. Mr. Wright called for comments or question from the Council or the audience. There being none, on roll call vote of the Council the votes were as follows: Mr. Greene, “Yea”; Admiral Natter, “Yea”; Mr. Rives, “Yea”; Mr. Smith, “Yea”; and Mr. Wright, “Yea”. The motion carried unanimously.

9. **1ST READING ORDINANCE NO. 16-2298 – AMEND MUNICIPAL CODE – CHAPTERS 9, 10 AND 11 – MUNICIPAL COURT**

The City Attorney had the First Reading of Ordinance No. 16-2298. This would amend the Municipal Code as follows: AMEND A PORTION OF CHAPTER 10, SECTION 10-2 ENTITLED “JURISDICTION” OF MUNICIPAL CODE OF THE CITY OF HOOVER; TO MODIFY CHAPTER 10, SECTION 10-3 ENTITLED “WHERE AND WHEN HELD”; TO AMEND A PORTION OF CHAPTER 10, SECTION 10-7 ENTITLED “MAGISTRATES”; TO AMEND CHAPTER 10, SECTION 10-18 ENTITLED “SCHEDULE OF FINES”; TO DELETE CHAPTER 10, SECTION 10-30 ENTITLED “FINES”; TO AMEND A PORTION OF CHAPTER 11, ARTICLE II, SECTION 11-31 ENTITLED “MISDEMEANORS”; TO DELETE CHAPTER 9, ARTICLE I, SECTION 9-2 ENTITLED “ADOPTION OF STATE MISDEMEANORS”; MODIFICATION OF CHAPTER 9, ARTICLE I, SECTION 9-3; AND TO DELETE CHAPTER 11, ARTICLE II, SECTION 11-32 ENTITLED “VIOLATION OF THE FEDERAL MOTOR CARRIER AND SAFETY REGULATIONS.

This ordinance will have its second reading and consideration for adoption on Monday, March 21, 2016.

10. **PUBLIC HEARING – CITY COUNCIL REQUEST TO REZONE 273 ACRES FROM R-4 TO C-2 AND R-1**

Mr. Wright stated this is the public hearing to consider the request of the Hoover City Council to **rezone** approximately 273 acres located south of I-459 between Preserve Parkway and Patton

Creek Shopping Center from R-4 (Multi-Family District) to C-2 (Community Business District) and R-1 (Single Family Residential). This property is owned by United States Steel Corporation; William Paul Glass and Sherry Barrington; Meade Whitaker, Sr. Living Trust; and Ina P. Ballenger. (*PZ Case #Z-0216-01*). 1st Reading of Ordinance No. 16- 2296 (Rezone to C-2 Community Business District) and 1st Reading of Ordinance No. 16-2297 (Rezone to R-1 Single Family District).

Due to the absence of two council members, Admiral Natter made a motion to **postpone** this public hearing to the first city council meeting in April (**April 4th**). This motion was seconded by Mr. Greene. On roll call vote of the Council the votes were as follows: Mr. Greene, "Yea"; Admiral Natter, "Yea"; Mr. Rives, "Yea"; Mr. Smith, "Yea"; and Mr. Wright, "Yea". The motion carried unanimously.

11. SET PUBLIC HEARINGS FOR MONDAY, MARCH 21, 2016 AT 6 PM

Mr. Wright stated public hearings are hereby set for **Monday, March 21, 2016, at 6 PM** to consider the following requests which will be considered by the Planning and Zoning Commission at their 3/14/16 meeting:

- a. Douglas Hovanec is requesting **Conditional Use** approval to allow the sale of Restaurant Retail Liquor at **Revolve Kitchen & Brew** located at **611 Doug Baker Blvd., Suite 103** in the Lee Branch Shopping Center Phase II. Monarch at Lee Branch, LLC is the property owner and the property is zoned C-2 (Community Business District). *P&Z Case #C-0316-03*
- b. Rong Yang is requesting **Conditional Use** approval to allow the sale of on or off premises Retail Beer and on or off premises Retail Table Wine at **Sushi Village 280** located at **601 Doug Baker Blvd., Suite 101 and 102** in the Lee Branch Shopping Center Phase II. Monarch at Lee Branch, LLC, is the property owner and the property is zoned C-2 (Community Business District) *P&Z Case #C-0316-04*

12. PAYMENT OF BILLS

Mr. Smith made a motion that the bills be paid as submitted. This motion was seconded by Mr. Rives. Mr. Wright called for questions or comments. There being none, on voice vote the motion carried unanimously.

Mr. Wright called for additional comments or questions from the Council.

Admiral Natter congratulated the **Library** and staff on the success of **Southern Voices** this past week.

Admiral Natter also congratulated **Chief Derzis and Chief Wingate** on the recognition of the individuals within their departments for **Police Officer of the Year** and **Fire Fighter of the Year**.

Mr. Greene said that the **Fire Department** had some **promotions** coming up this week. Chief Wingate said the ceremony would be held on Wednesday, March 9, 2016, at 10:00 a.m. in the Library Theatre

There being no additional comments or questions, the meeting was adjourned.

Margie Handley, City Clerk