

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: November 7, 2016
TIME: 6:00 P.M.
PLACE: Hoover Municipal Center
PRESENT: Mayor Frank V. Brocato
Mr. Gene Smith, Council President
Mr. John Greene, Council President Pro-Tempore
Mr. John Lyda, Council Member
Dr. Casey Middlebrooks, Council Member
Mr. Derrick Murphy, Council Member
Mr. Curt Posey, Council Member
Mr. Mike Shaw, Council Member

ALSO PRESENT: Mr. Phillip Corley, City Attorney
Ms. April Danielson, Wallace, Jordan, Ratliff & Brandt, LLC
Ms. Linda Andrews, Director, Library
Mr. Tommy Daniel, Director, Public Works
Chief Nick Derzis, Police Chief
Ms. Susan Fuqua, Director, Municipal Court
Mr. Mike Lewis, Director, Human Resources
Mr. Bob House, House Consultants
Mr. Rod Long, City Engineer
Mr. Frank Lopez, Director, Revenue and Taxation
Mr. Craig Moss, Director, Park and Recreation
Mr. Allan Rice, City Administrator
Mr. Ben Powell, Director, Purchasing
Mr. Jim Wyatt, 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 the City Clerk.

Reverend Chris Peters, PhD, gave the invocation.

Brigadier General Paul Pocopanni led the Pledge of Allegiance.

1. **OATHS OF OFFICE – CITY COUNCIL MEMBERS**

The clerk stated the Oaths of Office would be administered to the City Council Members in order of Council Place number.

The Honorable Judge Vincent Schilleci, Jr. administered the Oath of Office to **Councilman Curt Posey**. Councilman Posey received a standing ovation. Councilman Posey took a moment to explain why he used two Bibles for the swearing in. He stated that his Dad's Father was a Church of Christ preacher for over 60 years in Winfield, Alabama

and that was his Bible on the top. The bottom Bible belonged to his Mom's Dad who was a Baptist preacher and a Sunday school teacher for close to 70 years in Hoover and had passed away a couple of years ago. Councilman Posey said he wanted to honor both their memories by using their Bibles to be sworn into office.

The Honorable Justice Tom Woodall administered the Oath of Office to **Councilman Gene Smith**. Councilman Smith received a standing ovation.

The Honorable Judge Bentley Patrick administered the Oath of Office to **Councilman John Lyda**. Councilman Lyda received a standing ovation.

The Honorable Judge Brad Bishop administered the Oath of Office to **Councilman Mike Shaw**. Councilman Shaw received a standing ovation.

The Honorable Judge Shera Grant administered the Oath of Office to **Councilman Derrick Murphy**. Councilman Murphy received a standing ovation.

The Honorable Judge Brad Bishop, administered the Oath of Office to **Councilman Casey Middlebrooks**. Councilman Middlebrooks received a standing ovation.

The Honorable Judge Robert G. Cahill administered the Oath of Office to **Councilman John Greene**. Councilman Greene received a standing ovation.

2. **OATH OF OFFICE - MAYOR**

The Honorable Judge Michael G. Graffeo administered the Oath of Office to **Mayor Frank Vincent Brocato**. Mayor Brocato received a standing ovation.

3. **ELECTION OF COUNCIL PRESIDENT**

The City Clerk stated the next item for consideration is the election of the City Council President. She stated the floor was now open for nominations.

Mr. Lyda nominated Gene Smith to serve as Council President. This nomination was seconded by Mr. Shaw.

Dr. Middlebrooks nominated Derrick Murphy to serve as Council President. This nomination was seconded by Mr. Posey.

There being no further nominations, the Clerk called for a motion to close the nominations. Mr. Lyda made a motion to close the nominations and Mr. Middlebrooks seconded the motion. The nominations were closed and the Clerk called for a roll call vote for Gene Smith to serve as Council President. On roll call vote the votes were as follows: Mr. Posey, "Nay"; Mr. Smith, "Yea"; Mr. Lyda, "Yea"; Mr. Shaw, "Yea"; Casey Middlebrooks, "Nay"; Mr. Greene, "Yea"; Mr. Murphy, "Nay". The motion carried for **Gene Smith** to serve as Council President.

4. **ELECTION OF COUNCIL PRESIDENT PRO-TEMPORE**

Mr. Smith stated the Council would now consider the election of the Council President Pro Tempore.

Mr. John Lyda nominated John Greene to serve as President Pro-Tempore. This nomination was seconded by Mr. Shaw. There were no additional nominations and Mr. Smith called for a vote for John Greene to serve as Council President Pro-Tempore. On voice vote the motion carried unanimously.

5. **1st Reading Ordinance No. 16-2316 – Amend Municipal Code – Article II. City Council, Division 2, Rules of Procedure**

The City Clerk had the first reading of **Ordinance No. 16-2316** that would amend the Municipal Code – Article II regarding the Rules of Procedure for the City Council. Mr. Smith said they would forego the suspension of rules and would have the second reading of the ordinance at the next Council meeting.

6. **RESOLUTION NO. 5487-16 – APPOINT CITY CLERK**

Mr. Smith read Resolution No. 5487-16. This would appoint **Margie Handley** to serve as **City Clerk** for a term of four years and set compensation at current salary.

Mr. Lyda made a motion to approve **Resolution No. 5487-16**. This motion was seconded by Mr. Greene.

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

7. **RESOLUTION NO. 5488-16 – APPOINT CITY TREASURER**

The City Attorney read Resolution No. 5488-16. This would appoint **Robert Yeager** to serve as **City Treasurer** for a term of four years and set compensation at current salary.

Mr. Lyda made a motion to **approve Resolution No. 5488-16**. This motion was seconded by Mr. Greene. There being no discussion, on voice vote the motion carried unanimously.

8. **RESOLUTION NO. 5489-16 – APPOINT CITY ATTORNEY**

Mayor Frank Brocato stated he wished to appoint **Mr. Phillip D. Corley, Jr.** to serve as **City Attorney** for a term of four years.

Mr. Lyda made a motion to approve **Resolution No. 5489-16**. This motion was seconded by Mr. Greene. There being no discussion, on voice vote the motion carried unanimously.

9. **RESOLUTION NO. 5490-16 – APPOINT MUNICIPAL JUDGE**

Mr. Smith read Resolution No. 5490-16. This would appoint **Judge Brad Bishop** to serve as **Municipal Judge** for a term of two years and set compensation at \$80,000 annually.

Mr. Lyda made a motion to **approve Resolution No. 5490-12**. This motion was seconded by Mr. Greene. There was no discussion and on voice vote the motion carried unanimously.

Mr. Smith thanked Judge Bishop who was present in the audience.

10. **RESOLUTION NO. 5491-16 – APPOINT MUNICIPAL PROSECUTOR**

Mr. Smith read Resolution No. 5491-16. This would appoint **Charlie D. Waldrep** to serve as **Municipal Prosecutor** for a term of four years. Compensation shall be \$75,000. This resolution would also appoint **Nic Waddell** and **Brandon Prince** to serve as **Alternate Prosecutors** in the absence of the Municipal Prosecutor.

Mr. Lyda made a motion to **approve Resolution No. 5491-16**. This motion was seconded by Mr. Greene. There was no discussion and on voice vote the motion carried unanimously.

11. **RESOLUTION NO. 5492-16 – APPOINT COURT MAGISTRATES**

Mr. Smith read Resolution No. 5492-16. This would appoint the following persons to serve as **Magistrates** for the Hoover Municipal Court: **Susan Fuqua, Court Director; Robin Griffin, Marsha Headley, Terica Henderson, Tiffany Brewer, Anna McRae, Darinda Poe, Umang Patel, Jason Simpson and Leandra Burks.**

Mr. Lyda made a motion to approve **Resolution No. 5492-16**. This motion was seconded by Mr. Greene. On voice vote the motion carried unanimously.

12. **RESOLUTION NO. 5493-16 – RATIFY BANKS AS DEPOSITORIES FOR THE CITY AND AUTHORIZE SIGNATURES FOR VARIOUS ACCOUNTS**

Mr. Smith read Resolution No. 5493-16. This would ratify banks as depositories for the City and authorize signatures.

Mr. Lyda made a motion to **approve Resolution No. 5493-16**. This motion was seconded by Mr. Greene. On voice vote the motion carried unanimously.

13. **RESOLUTION NO. 5494-16 – APPOINT AUDITORS**

The City Attorney read Resolution No. 5494-16. This would appoint the accounting firm of Barfield, Murphy, Shank & Smith as auditors for the City.

Mr. Lyda made a motion to **approve Resolution No. 5494-16**. This motion was seconded by Mr. Greene. On voice vote the motion carried unanimously.

14. **RESOLUTION NO. 5495-16 – APPOINT COUNCIL LIAISON TO PLANNING AND ZONING COMMISSION**

The City Attorney read Resolution No. 5495-16. This would appoint Councilman Mike Shaw as Council Liaison to the Planning and Zoning Commission.

Mr. Lyda made a motion to **approve Resolution No. 5495-16**. This motion was seconded by Mr. Greene. On voice vote the motion carried unanimously.

15. **RESOLUTION NO. 5496-16 – APPROVE NAME FOR NEW COMPLEX AND INDOOR SPORTS AND EVENTS FACILITY**

Dr. Middlebrooks spoke regarding Resolution No. 5496-16. He said that through a public survey and multiple meetings it has been determined that the overall complex name for the new sports development will be the Hoover Metropolitan Complex with the indoor facility

being named the Finley Center. Dr. Middlebrooks made a motion to **approve Resolution No. 5496-16**. The motion was seconded by Mr. Greene.

Mr. Smith asked for any comments or questions from the Council or the audience and there were none. On voice vote the motion carried unanimously.

16. **REPORTS**

Mayor Brocato thanked the audience for coming out to the meeting tonight. He thanked the Council, both the new and the veteran members, and said he looked forward to working with each and every one of them. He extended his thanks as well to the City Attorney and the Auditors and all of the employees he enjoyed working with for 42 years in the Hoover Fire Department. He said he looks forward to being back and part of the team. Mayor Brocato stated that we have great employees in our City and said they do a wonderful job but there is another backbone to the City and that is the citizens who serve in volunteer roles on our various boards. Mayor Brocato asked **Mr. Jason Lovoy** to come forward and he appointed him to serve on the **Planning & Zoning Commission**. He said Jason and his wife Shawndee live in Ross Bridge with their four children. He told Mr. Lovoy he is grateful to him for serving in this capacity and looks forward to working with him in the coming years.

Mr. Lyda made a motion to concur with the Mayor's appointment of **Mr. Jason Lovoy** to the **Planning & Zoning Commission**. The motion was seconded by Mr. Greene. On voice vote the motion carried unanimously.

Mayor Brocato next spoke regarding the **Beautification Board** saying they are the Board that keeps our City looking beautiful and keeps our buildings looking wonderful as well as decorating for the Holiday season. He asked Ms. Ann McAdams, President of the Beautification Board, to come forward along with **Ms. Rebecca Hassee** and he appointed **Ms. Hassee** to fill the vacancy on the **Beautification Board**. He stated Ms. Hassee lives in Bluff Park with her husband Scott and their four month old son. Mayor Brocato thanked her and said the City is thrilled to have her join the Board.

Mr. Lyda made a motion to concur with the Mayor's appointment of **Ms. Rebecca Hassee** to the **Beautification Board**. The motion was seconded by Mr. Greene. On voice vote the motion carried unanimously.

Mayor Brocato spoke to the audience and invited everyone to attend a reception after the meeting in the Hoover Library where they can meet all the new City Council members.

17. **APPROVAL OF MINUTES**

Mr. Smith stated each member of the Council had previously received a copy of the minutes of the October 17, 2016 regular meeting, October 24, 2016 special meeting and the November 3, 2016 work session.

Mr. Lyda made a motion to dispense with the reading of these minutes and to approve them as presented. This motion was seconded by Mr. Greene. On voice vote the motion carried unanimously.

18. **PAYMENT OF BILLS**

Mr. Lyda stated he had reviewed the bills and made a motion that the bills be paid as submitted. This motion was seconded by Mr. Greene. On voice vote the motion carried unanimously.

Mr. Smith called for comments or questions from the Council. There were none and the meeting was adjourned.

Margie Handley
City Clerk