

**HOOVER CITY COUNCIL  
MINUTES OF MEETING**

**DATE:** Monday, June 18, 2018  
**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 (left at 7 PM)  
Mr. Curt Posey, Council Member  
Mr. Mike Shaw, Council Member

**ALSO PRESENT:** Mr. Phillip D. Corley, Jr., City Attorney  
Ms. April Danielson, Wallace, Jordan, Ratliff & Brandt, LLC  
Mr. Rod Evans, Wallace, Jordan, Ratliff & Brandt, LLC  
Chief Clay Bentley, Fire Chief  
Ms. Amanda Borden, Library Director  
Mr. Tommy Daniel, Director, Public Works  
Chief Nick Derzis, Police Chief  
Ms. Susan Fuqua, Municipal Court Director  
Mr. Greg Knighton, Economic Development Director  
Mr. Mike Lewis, Director, Human Resources  
Mr. Rod Long, City Engineer  
Mr. Frank Lopez, Director, Revenue and Taxation  
Dr. Melinda Lopez, Chief Financial & Information Officer  
Mr. Craig Moss, Director, Parks & Recreation  
Mr. Ben Powell, Director, Purchasing  
Mr. Allan Rice, City Administrator  
Mr. Tim Westhoven, Chief Operations Officer  
Mr. Jim Wyatt, Director, Inspection Services

The meeting was called to order by Council President Gene Smith.

The clerk had roll call and a quorum was present.

The clerk gave the invocation.

The Pledge of Allegiance was led by Mr. Posey.

1. **APPROVAL OF MINUTES**

Mr. Lyda made a motion that the minutes of the June 4, 2018 regular meeting and the June 14, 2018 work session be approved as presented and to dispense with the reading. This motion was seconded by Mr. Posey. Mr. Smith called for discussion. There being none, on voice vote the motion carried unanimously.

## 2. **REPORTS**

Dr. Middlebrooks introduced Mrs. Ellen Anson and expressed his personal appreciation to her for her years of passion and dedication as a special education teacher and to all of the staff at Rocky Ridge Elementary. The City Attorney read a **Proclamation** congratulating **Mrs. Ellen Anson** on her retirement from Hoover City Schools after 43 years. Mayor Brocato presented the proclamation to Mrs. Anson who was accompanied by her husband.

The City Attorney read a **Proclamation** commending the **Hoover Senior Center** on being the first center in Alabama to earn the **National Senior Center Accreditation**. Mayor Brocato presented the proclamation to Ms. Dana Stewart and other staff members of the Senior Center.

The City Attorney read a **Proclamation** declaring the month of June, 2018 as **Paint the Town Purple for Alzheimer's and Brain Awareness Month** in the City of Hoover. Mayor Brocato presented the proclamation to Megan Crumpton and other members of the Alzheimer's Association.

**Chief Bentley** recognized the following Fire Department employees who recently received promotions: **Dwayne Prater**, Battalion Chief; **Mark Thornton**, Battalion Chief; **Matt Javinett**, Captain; **Charles Lagrone**, Captain; and **Ben Reynolds**, Lieutenant. They were sworn in by Chief Bentley at his time. Family members joined them at the front of the chambers for a picture with the Mayor and City Council.

**Chief Bentley** announced that the Fire Department has assembled a **Firefighter Combat Challenge Team** and they will be competing at the end of the month in Lexington, Kentucky and then in Montgomery, Alabama.

Mr. Greene made a motion to appoint **Mr. Curtis Jackson** to fill the unexpired term of Mr. Bob Brown on the **Board of Zoning Adjustments**. Mr. Shaw seconded the motion. There being no discussion, on voice vote the motion carried unanimously.

## 3. **1<sup>ST</sup> READINGS OF ORDINANCES 18-2387, 18-2388, 18-2389 AND 18-2390 – AMEND MUNICIPAL CODE REGARDING TAXES LEVIED ON SALES AND USE, HOTEL/MOTEL, TANGIBLE PERSONAL TANGIBLE PROPERTY, AND RENTING OR LEASING OF REAL ESTATE**

The City Attorney had the First Reading of Ordinance No. 18-2387. This would amend the Municipal Code to modify the sales and use tax levy.

The City Attorney had the First Reading of Ordinance No. 18-2388. This would amend the Municipal Code to modify the hotel/motel tax levy.

The City Attorney had the First Reading of Ordinance No. 18-2389. This would amend the Municipal Code to modify the tangible personal property tax levy.

The City Attorney had the First Reading of Ordinance No. 18-2390. This would amend the Municipal Code to modify the renting or leasing of real estate tax levy.

All four proposed ordinances will have their second readings and consideration for adoption at a special meeting to be held on Tuesday, July 10, 2018 at 6:00 p.m. These proposed

ordinances will be placed on the city's website. Mr. Smith encouraged public participation during the comments/questions section of the June 2, 2018 regular meeting and during the July 10, 2018 special meeting.

**Dr. Lopez** talked about the recent Porter White report which projected that the city would not have funding available for future capital projects. For the purposes of understanding the capital projects budget process she gave a detailed power point presentation of the **"Overview of Capital Planning and Budgetary Financing"**. The average revenue needed for the capital projects fund over the next five years is \$11 million per year just to maintain; not including additional operational needs. In summary, without any additional funding the city's capital will be minimal or non-existent; and operating will be cut, increasing costs and needs. In addition, the city has a new \$85 million facility that requires additional operating. In five years the city could potentially deplete its entire general fund balance. Should there be another economic downturn or recession the city would be in trouble as it is already so thin. She wanted to show that having a funding problem is very critical to the future of the city.

Dr. Lopez answered questions from the City Council.

4. **RESOLUTION NO. 5822-18 – AMEND BUDGET FYE 9/30/18**

The City Attorney read Resolution No. 5822-18. This would amend the budget for fiscal year ending September 30, 2018 as shown on the Exhibit A attached to the resolution.

Mr. Lyda made a motion to approve **Resolution No. 5822-18**. This motion was seconded by Mr. Greene. Dr. Lopez reviewed the items listed in the amendment. Mr. Smith called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

5. **RESOLUTION NO. 5823-18 – BID NO. 18-003 – BALLISTIC VEST/CARRIERS/PLATES**

The City Attorney read Resolution No. 5823-18. This would award Bid No. 18-003 for Ballistic Vest/Carriers/Plates to Law Enforcement Supply; theirs being the lowest responsive and responsible bid meeting all specifications and requirements.

Mr. Lyda made a motion to approve **Resolution No. 5823-18**. This motion was seconded by Mr. Greene. Mr. Ben Powell reviewed this item. Mr. Smith called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

6. **RESOLUTION NO. 5824-18 – AUTHORIZE MAYOR TO EXECUTE RENEWAL OF STOP-LOSS INSURANCE POLICY**

The City Attorney read Resolution No. 5824-18. This would authorize the Mayor to execute a renewal of the city's stop-loss insurance policy with Alliant Insurance Services.

Mr. Lyda made a motion to approve **Resolution No. 5824-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

7. **RESOLUTION NO. 5825-18 – AUTHORIZE MAYOR TO EXECUTE RENEWAL OF CRIME INSURANCE POLICY**

The City Attorney read Resolution No. 5825-18. This would authorize the Mayor to execute a renewal of the city's crime insurance policy with Hartford Fire Insurance Company.

Mr. Lyda made a motion to approve **Resolution No. 5825-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

8. **RESOLUTION NO. 5826-18 – AUTHORIZE MAYOR OR HIS DESIGNEE TO EXECUTE ePAYMENT ENROLLMENT FORMS REGARDING AMBULANCE BILLING**

The City Attorney read Resolution No. 5826-18. This would authorize the Mayor or his designee to execute ePayment Enrollment Authorization Forms regarding the city's ambulance billing.

Mr. Lyda made a motion to approve **Resolution No. 5826-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

9. **RESOLUTION NO. 5827-18 – DECLARE PROPERTY AS PUBLIC NUISANCE DUE TO WEEDS AND/OR GRASS**

The City Attorney read Resolution No. 5827-18. This would declare property located at 3506 Lynncrest Drive as a public nuisance due to weeds and/or grass.

Mr. Lyda made a motion to approve **Resolution No. 5827-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. Mr. Robert Macke, Zoning Enforcement, previously distributed to the Mayor and Council pictures of the property taken earlier in the day. The property appears to be vacant but the property owner is local so Mr. Macke is hopeful to get some action taken on the property. There being no further discussion, on voice vote the motion carried unanimously.

10. **RESOLUTION NO. 5828-18 – EXTEND CHARTER CABLE TELEVISION FRANCHISE**

The City Attorney read Resolution No. 5828-18. This would extend the franchise agreement with Marcus Cable of Alabama, LLC, d/b/a Charter Communications through October 15, 2018.

Mr. Lyda made a motion to approve **Resolution No. 5828-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

11. **RESOLUTION NO. 5829-18 – AUTHORIZE MAYOR OF HIS DESIGNEE TO EXECUTE PURCHASING COOPERATIVE AGREEMENTS**

The City Attorney read Resolution No. 5829-18. This would authorize the Mayor or his designee to execute the Government Procurement Alliance Membership Agreement and BuyBoard's National Purchasing Cooperative Organizational Interlocal Agreement.

Mr. Lyda made a motion to approve **Resolution No. 5829-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

12. **RESOLUTION NO. 5830-18 – AUTHORIZE MAYOR OR HIS DESIGNEE TO EXECUTE LEASE AGREEMENTS FOR MULTI-FUNCTION COPIER/SCANNER/PRINTERS**

The City Attorney read Resolution No. 5830-18. This would authorize the Mayor or his designee to execute lease agreements with Xerox for multi-function copier/scanner/printers.

Mr. Lyda made a motion to approve **Resolution No. 5830-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

13. **RESOLUTION NO. 5831-18 – DECLARE MUNICIPAL PROPERTY AS SURPLUS AND AUTHORIZE DISPOSAL BY PUBLIC AUCTION**

The City Attorney read Resolution No. 5831-18. This would declare a list of municipal property as surplus and authorize disposal by public auction.

Mr. Lyda made a motion to approve **Resolution No. 5831-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. Mr. Ben Powell noted that the date of the public auction is unknown at this time but will be placed on the city's website. There being no further discussion, on voice vote the motion carried unanimously.

14. **RESOLUTION NO. 5832-18 – CONSIDERATION OF WEED COST REPORT AND ASSESSMENT OF LIENS**

The City Attorney read Resolution No. 5832-18. This resolution relates to the collection of the costs incurred by the city in the abatement of weeds on certain properties within the city; assesses the costs listed on the report of costs against the properties described in Exhibit A of the resolution in the amounts indicated; authorizes and directs the city clerk to give a copy of this resolution to the appropriate tax collector or revenue commissioner who is charged with the collection of municipal taxes under state law; and authorizes the city clerk to file a lien instrument notice of property assessment in the amounts indicated on the Exhibit A for each property set forth with the appropriate office of the judge of probate in which the real property is located.

Mr. Lyda made a motion to approve **Resolution No. 5832-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. After a brief discussion, Mr. Jim Wyatt talked about a new program whereby two churches have volunteered to assist any of the elderly or disabled that are unable to care for their properties and the Inspections Department has been forwarding those on to them as the

Council and other people in the community have reported them. There being no further discussion on voice vote the motion carried unanimously.

15. **2<sup>ND</sup> READING ORDINANCE NO. 18-2380 – AUTHORIZE LEASE OF OFFICE SPACE AT PUBLIC SAFETY CENTER TO ALABAMA DEPARTMENT OF REVENUE**

The City Attorney had the second reading of Ordinance No. 18-2380. This would authorize the lease of unneeded municipal real property (office space) located at the Hoover Public Safety Center, 2020 Valleydale Road, Suite 208; and authorize the Mayor to execute said lease with the Alabama Department of Revenue.

Mr. Lyda made a motion to adopt **Ordinance No. 18-2380**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none, on roll call vote of the Council the votes were as follows: Mr. Greene, “Yea”; Mr. Lyda, “Yea”; Dr. Middlebrooks, “Yea”; Mr. Posey, “Yea”; Mr. Shaw, “Yea”; and Mr. Smith, “Yea”. The motion carried unanimously.

16. **2<sup>ND</sup> READING ORDINANCE NO. 18-2381 – AUTHORIZE LEASE OF OFFICE SPACE AT PUBLIC SAFETY CENTER TO HOOVER HISTORICAL SOCIETY**

The City Attorney had the second reading of Ordinance No. 18-2381. This would authorize the lease of unneeded municipal real property at the Hoover Public Safety Center, 2020 Valleydale Road, Suite 108; and authorize the Mayor to execute said lease with the Hoover Historical Society.

Mr. Lyda made a motion to adopt **Ordinance No. 18-2381**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. Mr. Allan Rice commented that this will provide a temporary location for the Hoover Historical Society until they find a permanent location. There being no further discussion, on roll call vote of the Council the votes were as follows: Mr. Greene, “Yea”; Mr. Lyda, “Yea”; Dr. Middlebrooks, “Yea”; Mr. Posey, “Yea”; Mr. Shaw, “Yea”; and Mr. Smith, “Yea”. The motion carried unanimously.

17. **2<sup>ND</sup> READING ORDINANCE NO. 18-2382 – ANNEX PHASE 6 – 7160 CAHABA VALLEY ROAD – OWNED BY BROOK HIGHLAND COMMUNITY CHURCH**

The City Attorney had the second reading of Ordinance No. 18-2382. This would annex Phase 6 of property located at 7160 Cahaba Valley Road, owned by Brook Highland Community Church. This is the final phase of this annexation.

Mr. Posey made a motion to adopt **Ordinance No. 18-2382**. This motion was seconded by Mr. Greene and Dr. Middlebrooks. Mr. Smith called for questions or comments from the Council or the audience. There being none, on roll call vote of the Council the votes were as follows: Mr. Greene, “Yea”; Mr. Lyda, “Yea”; Dr. Middlebrooks, “Yea”; Mr. Posey, “Yea”; Mr. Shaw, “Yea”; and Mr. Smith, “Yea”. The motion carried unanimously.

18. **2<sup>ND</sup> READING ORDINANCE NO. 18-2383 – ANNEX 118 MARS HILL ROAD – OWNED BY SPINE & SPORTS PROPERTIES LLC**

The City Attorney had the second reading of Ordinance No. 18-2383. This would annex property located at 118 Mars Hill Road, owned by Spine & Sports Properties, LLC.

Mr. Posey made a motion to adopt **Ordinance No. 18-2383**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none, on roll call vote of the Council the votes were as follows: Mr. Greene, "Yea"; Mr. Lyda, "Yea"; Dr. Middlebrooks, "Yea"; Mr. Posey, "Yea"; Mr. Shaw, "Yea"; and Mr. Smith, "Yea". The motion carried unanimously.

19. **2<sup>ND</sup> READING ORDINANCE NO. 18-2384 – ANNEX PRE-ZONED PROPERTY ON OLD ROCKY RIDGE ROAD, OWNED BY D.R. HORTON**

The City Attorney had the second reading of Ordinance No. 18-2384. This would annex pre-zoned property located on Old Rocky Ridge Road, owned by D.R. Horton.

Mr. Posey made a motion to adopt **Ordinance No. 18-2384**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none, on roll call vote of the Council the votes were as follows: Mr. Greene, "Yea"; Mr. Lyda, "Yea"; Dr. Middlebrooks, "Nay"; Mr. Posey, "Yea"; Mr. Shaw, "Yea"; and Mr. Smith, "Yea". The motion carried.

20. **2<sup>ND</sup> READING ORDINANCE NO. 18-2385 – AMEND MUNICIPAL CODE TO REVISE SMALL CELL ORDINANCE ADOPTED BY ORD. NO. 18-2378**

The City Attorney had the second reading of Ordinance No. 18-2385. This would amend the Municipal Code regrading small cell facilities as adopted by Ordinance No. 18-2378 on June 4, 2018.

Mr. Shaw made a motion to adopt **Ordinance No. 18-2385**. This motion was seconded by Mr. Greene.

**Ms. Terry Williams**, representing AT&T, 1884 Data Drive, Hoover, expressed her gratitude for the time spent on this ordinance and asked for consideration on the additional items of concern expressed by the industry. They look forward to additional discussion going forward.

After brief comments from Mr. Shaw, Mr. Smith called for additional comments or questions from the audience or the Council. There being none, on roll call vote of the Council the votes were as follows: Mr. Greene, "Yea"; Mr. Lyda, "Yea"; Dr. Middlebrooks, "Yea"; Mr. Posey, "Yea"; Mr. Shaw, "Yea"; and Mr. Smith, "Yea". The motion carried unanimously.

21. **1<sup>ST</sup> READING ORDINANCE NO. 18-2386 – ANNEX 0.3 ACRES ADJACENT TO 4909 COSHATT TRAIL, OWNED BY CRAIG AND KIM PHILPOT**

The City Attorney had the first reading of Ordinance No. 18-2386. This would annex 0.3 acres of vacant residential property located adjacent to (and recently resurveyed and combined with) 4909 Coshatt Trail, owned by Craig and Kim Philpot.

The second reading and consideration for adoption will be on July 2, 2018.

22. **1<sup>ST</sup> READING ORDINANCE NO. 18-2387 – AMEND MUNICIPAL CODE - SALES AND USE TAX**

The City Attorney had the first reading of Ordinance No. 18-2387. This would amend the Municipal Code, Chapter 14, Article II, to modify the sales and use tax levied.

The second reading and consideration for adoption will be on Tuesday, July 10, 2018 at a special meeting of the City Council.

23. **1<sup>ST</sup> READING ORDINANCE NO. 18-2388 – AMEND MUNICIPAL CODE – HOTEL/MOTEL TAX**

The City Attorney had the first reading of Ordinance No. 18-2388. This would amend the Municipal Code, Chapter 14, Article IV, to modify the hotel/motel tax levied.

The second reading and consideration for adoption will be on Tuesday, July 10, 2018 at a special meeting of the City Council.

24. **1<sup>ST</sup> READING ORDINANCE NO. 18-2389 – AMEND MUNICIPAL CODE – TANGIBLE PERSONAL PROPERTY TAX**

The City Attorney had the first reading of Ordinance No. 18-2389. This would amend the Municipal Code regarding tangible personal property tax.

The second reading and consideration for adoption will be on Tuesday, July 10, 2018 at a special meeting of the City Council.

25. **1<sup>ST</sup> READING ORDINANCE NO. 18-2390 – AMEND MUNICIPAL CODE – RENTING OR LEASING OF REAL ESTATE TAX**

The City Attorney had the first reading of Ordinance No. 18-2390. This would amend the Municipal Code regarding tax levied for renting or leasing of real estate.

The second reading and consideration for adoption will be on Tuesday, July 10, 2018 at a special meeting of the City Council.

26. **ABC APPLICATION (020 RESTAURANT RETAIL LIQUOR) – SALTGRASS STEAKHOUSE – 2943 JOHN HAWKINS PKWY**

Mr. Shaw made a motion to approve the ABC Application, (020 Restaurant Retail Liquor), for Saltgrass Birmingham Inc. d/b/a Saltgrass Steakhouse, 2943 John Hawkins Pkwy. This is new ownership on a previously approved site (previously Southern Legacy BBQ and Brew. Mr. Greene seconded the motion. Mr. Smith called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

27. **ABC APPLICATION (160-SPECIAL RETAIL-MORE THAN 30 DAYS) – NOAH'S EVENT VENUE – 2501 INTERNATIONAL PARK PLACE**

Mr. Shaw made a motion to approve the ABC Application, (160-Special Retail-More Than 30 Days), for Noah Operations Hoover AL LLC d/b/a Noah's Event Venue, 2501 International Park Place. This is a permitted accessory use. Mr. Greene and Mr. Posey seconded the motion. Mr. Smith called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

28. **PUBLIC HEARING – THIRTEENTH AMENDMENT TO TRACE CROSSINGS – REZONE FELDSPAR PROPERTY FROM PR-1 TO PI – SB DEV. CORP.**

Mr. Smith stated this is the public hearing to consider the request of Richard Johnson, representing SB Dev. Corp., for approval of the **Thirteenth Amendment to Trace Crossings Planned Unit Development**, rezoning approximately 2.4 acres known as the “Feldspar Property” from PR-1 Planned Single Family to PI Planned Light Industrial. (*P&Z Case #Z-0518-07*).

**Mr. Richard Johnson**, SB Dev. Corp., 3545 Market Street, Hoover, commented that the use of the property is unknown at this time. The remainder of the property was rezoned at the time the Flemming property was annexed into the city. This property was previously zoned industrial and they are requesting that it revert back to industrial. It was unused by the city when the sports park donation was made because SB Dev. Corp. reconfigured and used this same acreage in another location.

**Mr. Robin Schultz**, 340 Albemarle Drive, inquired as to the types of uses allowed in the PI Planned Industrial District. Mr. Allan Rice reviewed various types of light industrial uses permitted in this district; similar to the current development already in place along Feldspar Way.

**Mr. Wade Morgan**, 3150 Sawyer Drive, asked why not wait until a proposed use is determined before rezoning the property. Mr. Posey presented a map of the property to Mr. Morgan. Mr. Shaw and Mr. Smith reiterated that this is simply putting the property back to its original zoning of light industrial which is compatible with the surrounding property. Mr. Johnson added that any proposed use will be subject to city staff review as well as Trace Crossings business community and architectural review.

The City Attorney had the second reading of Ordinance No. 18-2376.

Mr. Shaw made a motion to adopt **Ordinance No. 18-2376**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the council or the audience. There being none, on roll call vote of the Council the votes were as follows: Mr. Greene, “Yea”; Mr. Lyda, “Yea”; Dr. Middlebrooks, “Yea”; Mr. Posey, “Yea”; Mr. Shaw, “Yea”; and Mr. Smith, “Yea”. The motion carried unanimously.

29. **PUBLIC HEARINGS – REZONE TO PC & APPROVE CONDITIONAL USE FOR MIXED USE DEVELOPMENT – INTERNATIONAL PARK 2<sup>ND</sup> SECTOR, LOT 7 – 2545 ACTON ROAD – THE RIME COMPANIES**

a. Mr. Smith stated this is the public hearing to consider the request of Andrew Phillips, representing The Rime Companies, for approval of a zoning amendment to the **International Park PUD**, regarding International Park 2<sup>nd</sup> Sector, Lot 7, located at 2545 Acton Road, to rezone the property from PO Planned Office to PC Planned Commercial. The Rime Companies are the property owners. (*P&Z Case #Z-0518-08*)

The City Attorney had the second reading of Ordinance No. 18-2377.

There being no discussion Mr. Smith closed the public hearing. Mr. Shaw made a motion to adopt **Ordinance No. 18-2377**. This motion was seconded by Mr. Greene. On roll

call vote of the Council the votes were as follows: Mr. Greene, “Yea”; Mr. Lyda, “Yea”; Dr. Middlebrooks, “Yea”; Mr. Posey, “Yea”; Mr. Shaw, “Yea”; and Mr. Smith, “Yea”. The motion carried unanimously.

- b. Mr. Smith stated this is the public hearing to consider the request of Andrew Phillips, representing The Rime Companies, for **Conditional Use** approval for a **Mixed Use Development Plan** at International Park 2<sup>nd</sup> Sector, Lot 7, located at 2545 Acton Road. The property owners are The Rime Companies. (*P&Z Case #C-0518-07*)

Mr. Allan Rice, City Administrator, stated this included 44 multi-family units of which 24 would be single bedroom units. According to the City Planner’s calculations this would add a maximum of 7 or 8 students to the school system.

There was some question as to the need for proposed residential in International Park. Mr. Rice commented that this is a design product that is increasing in popularity in suburban settings. Because there are no immediate adjacent residential neighborhoods this was thought to be a good test site for this type of development. He expected to see more requests of this type coming to the city.

There being no further discussion Mr. Smith closed the public hearing. Mr. Shaw made a motion to approve the **conditional use** and requested a roll call vote. This motion was seconded by Mr. Greene. On roll call vote of the Council the votes were as follows: Mr. Greene “Nay”; Mr. Lyda, “Nay”; Dr. Middlebrooks, “Nay”; Mr. Posey, “Nay”; Mr. Shaw, “Nay”. The motion was denied.

30. **PUBLIC HEARING – REZONE PROPERTY AT HWY 280 AND HWY 119 FROM C2 TO PUD – TATTERSALL PARK – EBSCO INDUSTRIES**

Mr. Smith stated this is the public hearing to consider the request of Brooks Knapp, Vice-President, EBSCO Industries, Inc., to rezone approximately 63.31 acres, located at US Highway 280 and Al State Highway 119, from C-2 Community Business District and NZ Not Zoned to PUD Planned Unit Development to be known as **Tattersall Park**. The property owner is EBSCO Industries, Inc. (*P&Z Case #Z-0418-06*).

Mr. Allan Rice, City Administrator, clarified that the entire proposed PUD consists only of PC Planned Commercial zoning. Rezoning any portion of this PUD would require coming back before the Planning and Zoning Commission and City Council for approval.

There being no further discussion, Mr. Smith closed the public hearing.

The City Attorney had the second reading of Ordinance No. 18-2379.

Mr. Shaw made a motion to adopt **Ordinance No. 18-2379**. This motion was seconded by Mr. Greene. On roll call vote of the Council the votes were as follows: Mr. Greene, “Yea”; Mr. Lyda, “Yea”; Dr. Middlebrooks, “Yea”; Mr. Posey, “Yea”; Mr. Shaw, “Yea”; and Mr. Smith, “Yea”. The motion carried unanimously.

31. **SET PUBLIC HEARINGS FOR MONDAY, JULY 16, 2018 AT 6 PM**

Mr. Smith stated public hearings are hereby set for **Monday, July 16, 2018 at 6 p.m.** to consider the following requests which come forward with a positive recommendation from the June 11, 2018 Planning and Zoning Commission meeting:

- a. Jamie Cowden, US Steel Corporation, is requesting **Conditional Use** approval for the **Church of Ross Bridge** to operate at 2101 Grand Avenue in Ross Bridge. The property is owned by US Steel Corporation and is zoned PC Planned Commercial. *PZ Case #C-0618-08*
- b. Christopher Scott Huskin is requesting **Conditional Use** approval to allow on and off premise sale of Retail Beer and Retail Table Wine at “**The Casual Pint**” located at **5541 Grove Blvd.** at the Grove. This property is owned by Kimco Realty Corporation and is zoned PC Planned Commercial. *PZ Case #C-0618-09*

32. **PAYMENT OF BILLS**

Mr. Lyda made a motion to approve the payment of the bills. Mr. Posey seconded the motion. On voice vote the motion carried unanimously.

Mr. Greene congratulated Hoover’s former assistant police chief, **A.C. Roper**, on his new job as the Deputy Chief of the Army Reserve. Mr. Smith added that he would be serving at the Pentagon for the next year.

Mr. Posey recognized some of the staff from the Hoover Met Complex and commended them on a good job with the sports camps.

Mr. Smith reminded everyone of the **special called meeting** to be held on **Tuesday, July 10, 2018** at 6 PM in the Council Chambers for consideration of the ordinances regarding revenue items.

**Mr. Tom Kendall**, 404 Shadeswood Circle, commended city employees Jody Channell, Billy Graham, Wayne Edley and George Herron, who did a fantastic job of cleaning up the property adjacent to his. There are still inoperable vehicles on the property and he emphasized the need for a city ordinance regarding these types of issues. Mr. Smith informed him that an inoperable vehicle ordinance recently passed through committee and will be presented for first reading at the July 2 meeting.

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

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Margie Handley, City Clerk