

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: February 15, 2016

TIME: 6:00 P.M.

PLACE: Hoover Municipal Center

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

ABSENT: Admiral Jack Natter, 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. Fred Simpler, Waldrep Stewart & Kendrick
Ms. Linda Andrews, Library Director
Mr. Tommy Daniel, Director, Public Works
Chief Nick Derzis, Police Chief
Mr. Bob House, House Consultants
Mr. Mike Lewis, Director, Human Resources
Mr. Rod Long, City Engineer
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
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**

John Tindle, Candidate, Circuit Court Judge Place 25, was scheduled to speak but was not present at the start of the meeting. He arrived later and spoke at the end of the meeting during public questions and comments.

2. **MINUTES**

Mr. Wright stated each member of the Council had previously received a copy of the minutes of the February 1, 2016 regular meeting and the February 11, 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. 5370-16 – AUTHORIZE MAYOR TO EXECUTE AGREEMENT WITH BIRMINGHAM-JEFFERSON COUNTY TRANSIT AUTHORITY**

The City Attorney read Resolution No. 5370-16. This would authorize the Mayor to execute a transit services agreement with the Birmingham-Jefferson County Transit Authority.

Mr. Smith made a motion to approve **Resolution No. 5370-16**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience.

Mr. Smith stated he understood that the funding is the same as last year. Mr. Yeager responded yes. That total amount being \$63,932.88.

Mr. Rives inquired as to the ridership. Mr. Yeager stated that according to the transit authority's statistical sample a total of 79 people ride the bus every day in Hoover. That is seven days a week on average.

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

4. **RESOLUTION NO. 5371-16 – AUTHORIZE MAYOR TO EXECUTE SERVICES AND SYSTEMS MEMORANDUM OF AGREEMENT WITH HOOVER CITY SCHOOLS**

The City Attorney read Resolution No. 5371-16. This would authorize the Mayor to execute a Services and Systems Memorandum of Agreement with Hoover City Schools. This is at the request of the Hoover City Schools to ensure confidentiality of student records in accordance with the requirements of the Family Education and Rights of Privacy Act.

Mr. Smith made a motion to approve **Resolution No. 5371-16**. This motion was seconded by Mr. Lyda. Mr. Wright called for discussion from the Council or the audience.

Mr. Smith asked Dr. Lopez to expand on this matter. Dr. Lopez stated that the city shares its Geographic Information System with the schools and it turns out there are times when the schools may want to share some of the data from their records with the city to include student data that should be private. This agreement ensures that the city will do all it can to keep it in the right hands.

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

5. **RESOLUTION NO. 5372-16 – AUTHORIZE MAYOR TO EXECUTE STANDARD PROJECT RESOLUTION AGREEMENT WITH ALDOT – SIDEWALKS ALONG CHAPEL ROAD FROM PARK AVENUE TO STONE BROOK PARKWAY**

The City Attorney read Resolution No. 5372-16. This would authorize the Mayor to execute a Standard Project Resolution and Maintenance Agreement with the Alabama Department of

Transportation for the Sidewalks Along Chapel Road from Park Avenue to Stone Brook Parkway project.

Mr. Smith made a motion to approve **Resolution No. 5372-16**. This motion was seconded by Mr. Lyda. Mr. Wright called for discussion from the Council or the audience.

Mr. Smith asked if this was an 80/20 project with 80% paid by the state. Mr. Pate responded yes.

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

6. **RESOLUTION NO. 5373-16 – AUTHORIZE MAYOR TO EXECUTE CONSTRUCTION ENGINEERING AND INSPECTION SERVICES AGREEMENT WITH ENGINEERING DESIGN TECHNOLOGIES INC FOR ALDOT PROJECT – SIDEWALKS ALONG ROSS BRIDGE PKWY FROM DEER TRAIL TO DEER VALLEY ELEMENTARY**

The City Attorney read Resolution No. 5373-16. This would authorize the Mayor to execute a Construction Engineering and Inspection Services Agreement with Engineering Design Technologies, Inc. for Alabama Department of Transportation Project for Sidewalks Along Ross Bridge Parkway from Deer Trail to Deer Valley Elementary.

Mr. Smith made a motion to approve **Resolution No. 5373-16**. This motion was seconded by Mr. Lyda. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

7. **RESOLUTION NO. 5374-16 – AUTHORIZE MAYOR TO EXECUTE CONSTRUCTION ENGINEERING SERVICES AGREEMENT WITH GOODWYN MILLS & CAWOOD FOR ALDOT PROJECT – PRESERVE PKWY SIDEWALKS FROM SULPHUR SPRINGS ROAD TO PRESERVE TOWN CENTER**

The City Attorney read Resolution No. 5374-16. This would authorize the Mayor to execute a Construction Engineering Services Agreement with Goodwyn Mills and Cawood for Alabama Department of Transportation project regarding Preserve Parkway Sidewalks from Sulphur Springs Road to Preserve Town Center.

Mr. Smith made a motion to approve **Resolution No. 5374-16**. This motion was seconded by Mr. Lyda. Mr. Wright called for discussion from the Council or the audience.

Mr. Lyda asked if this was an eighty percent reimbursement like the standard agreement approved in Item 5. Mr. Pate answered yes. He said this section of sidewalk is through the piece of property in the Preserve that is owned by the city on the back side.

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

8. **RESOLUTION NO. 5375-16 – AUTHORIZE MAYOR TO EXECUTE ADDITIONAL SOFTWARE LICENSE AGREEMENT WITH NEW WORLD SYSTEMS CORPORATION & ADDENDUM TO STANDARD SOFTWARE LICENSE AND SERVICES**

The City Attorney read Resolution No. 5375-16. This would authorize the Mayor to execute an Additional Software License Agreement with New World Systems Corporation and an

Addendum to the Standard License and Services Agreement, and Additional Software License Agreements related thereto.

Mr. Smith made a motion to approve **Resolution No. 5375-16**. This motion was seconded by Mr. Lyda. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

Mr. Wright mentioned for those who were new to the audience that the City Council held a work session on Thursday where the agenda items were discussed in more detail.

9. **RESOLUTION NO. 5376-16 – AUTHORIZE MAYOR TO EXECUTE GIS SOFTWARE RENEWAL AGREEMENT WITH ESRI, INC.**

The City Attorney read Resolution No. 5376-16. This would authorize the Mayor to execute a GIS Software Renewal Agreement with ESRI, Inc.

Mr. Smith made a motion to approve **Resolution No. 5376-16**. This motion was seconded by Mr. Lyda. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

10. **RESOLUTION NO. 5377-16 – AUTHORIZE MAYOR TO EXECUTE ANNUAL SUPPORT AGREEMENT WITH EMS CONSULTANTS – RENEW BILLING SOFTWARE & UPDATED SOFTWARE LICENSE AGREEMENT**

The City Attorney read Resolution No. 5377-16. This would authorize the Mayor to execute an agreement with EMS Consultants to renew the Annual Support Agreement for the Fire Department's EMS billing software and its updated software license agreement.

Mr. Smith made a motion to approve **Resolution No. 5377-16**. This motion was seconded by Mr. Lyda. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

11. **RESOLUTION NO. 5378-16 – AUTHORIZE BIRMINGHAM WATER WORKS TO INSTALL FIRE HYDRANT – INVERNESS OFFICE PARK**

The City Attorney read Resolution No. 5378-16. This would authorize the Birmingham Water Works Board to install a fire hydrant in the Inverness Office Park project.

Mr. Smith made a motion to approve **Resolution No. 5378-16**. This motion was seconded by Mr. Lyda. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

12. **1ST READING ORDINANCE NO. 16-2295 – ANNEX 1833 BURNING TREE CIRCLE OWNED BY ROBERT AND MARGARET GORNATI**

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

The second reading and consideration for adoption will be on Monday, March 7, 2016.

13. **ABC APPLICATION – 020 RESTAURANT RETAIL LIQUOR – LA FIESTA – 1941 HOOVER COURT, SUITE A - Due to Change in Ownership**

Mr. Wright stated this is a request for approval of an ABC Application (020-Restaurant Retail Liquor) for La Fiesta Mexicano Restaurante of Birmingham, Inc. d/b/a La Fiesta Restaurant, 1941 Hoover Court, Suite A. This is due to a change in ownership on a previously approved site.

Mr. Lyda 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.

14. **ABC APPLICATION – 020 RESTAURANT RETAIL LIQUOR – JAKES CAFÉ TWO – 3075 JOHN HAWKINS PARKWAY, SUITE D AND E - Due to change in ownership**

Mr. Wright stated this is a request for approval of an ABC Application (020-Restaurant Retail Liquor) for Jakes Café Two, Inc., d/b/a Jakes Café Two, 3075 John Hawkins Parkway, Suite D and E. This is due to a change in ownership on a previously approved site.

Mr. Lyda 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.

15. **SET PUBLIC HEARING FOR MONDAY, MARCH 7, 2016 AT 6 PM**

Mr. Wright stated a public hearing is hereby set for Monday, March 7, 2016, at 6:00 p.m. to consider the following request which comes forward with a positive recommendation from the 2/8/16 Planning and Zoning Commission meeting:

The Hoover City Council is requesting 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*

The City Attorney had the **First Reading of Ordinance No. 16- 2296** (Rezone to C-2 Community Business District).

The City Attorney had the **First Reading Ordinance No. 16-2297** (Rezone to R-1 Single Family District).

16. **PAYMENT OF BILLS**

Mr. Smith made a motion that the bills be paid as submitted. This motion was seconded by Mr. Lyda. 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.

John Tindle, Candidate, Circuit Court Judge Place 25, introduced himself and asked for support in the upcoming election.

Mr. Larry Roddick, President of Friends of Shades Mountain, 964 Shades Crest Road, read a **Petition to Preserve Shades Mountain** that he had previously delivered to the Mayor and City Council. The petition, signed by 700 residents of Hoover and surrounding cities, is asking the

cities and county with jurisdiction over the steep undeveloped northwest slope of Shades Mountain, bounded by Shades Crest Road, Highways 280 and 150, and Shades Creek, to declare this area as the Shades Mountain Preservation District, to be kept in its natural state, with minimal intrusion or development, for the benefit of all current and future citizens of the surrounding area. He requested a meeting with the city to discuss the idea as soon as possible.

Mr. Wright asked Mr. Roddick to contact Allen Pate to arrange a meeting.

Mr. Dan Fulton, Alford Avenue, stated at the last meeting there was discussion concerning the request for additional patrol officers for the Hoover Police Department. He asked Mayor Ivey if he had any news to report on it. Mayor Ivey said he is currently working on that matter. Mr. Fulton expressed his appreciation.

Mr. Fulton discussed the importance of attending the upcoming school rezoning meetings to be held this week and next week. He said he hoped that some of the council members and the mayor would attend and listen to the concerns of the residents. He said sometimes residents express concerns as to how the proposed school rezoning would impact traffic on certain streets. There being no additional comments or questions, the meeting was adjourned.

Margie Handley, City Clerk