

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: Monday, May 16, 2016
TIME: 6:00 P.M.
PLACE: Hoover Municipal Center
PRESENT: Mayor Gary Ivey
Mr. Jack Wright, Council President
Mr. John Lyda, Council Member
Admiral Jack Natter, Council Member
Mr. Joe Rives, Council Member
Mr. Gene Smith, Council Member
ABSENT: Mr. Brian Skelton, Council President Pro-Tempore

ALSO PRESENT: Mr. Charlie Waldrep, City Attorney
Ms. Leslie Klasing, Waldrep Stewart & Kendrick
Ms. April Danielson, Waldrep Stewart & Kendrick
Mr. Bob House, House Consultants
Chief Nick Derzis, Police Chief
Mr. Mike Lewis, Director, Human Resources
Mr. Frank Lopez, Director, Revenue and Taxation
Mr. Craig Moss, Director, Parks and Recreation
Mr. Allen Pate, Executive Director
Mr. Ben Powell, Purchasing Director
Mr. Tim Westhoven, Assistant Executive Director
Mr. 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.

The musical ensemble Ten Bucs Worth performed the Star Spangled Banner.

1. **REPORTS**

Mr. Wright thanked the group Ten Bucs Worth for their outstanding performance of the Star Spangled Banner. He then announced a Proclamation for the National Association of Music Merchants (NAMM) Foundation and Sara Womack, Natalie Evans, Lisa Latham, John Kincaid, Melanie Harris, John Keyton, Kyle Moore, Vicki Portis, Lesley Vinzant, Jeff Fondren, Paula LeBlanc, Brian Wilson, Betty Wilson and Rachel Smith came forward to receive the proclamation commending the achievements of the Hoover City Schools music education programs and to congratulate them for being named to the 2016 list of “Best Communities for Music Education” for the fourth consecutive year by the National

Association of Music Merchants (NAMM) Foundation. The City Attorney then read the proclamation. Mr. Lyda recognized Dr. Kathy Murphy, Superintendent of Hoover Schools, Dr. Cindy Adams, Assistant Superintendent and Mr. Craig Kelly, Board of Education member and he thanked them for attending.

Mr. Wright announced there would be an appointment to the Board of Zoning Adjustment and recognized Mr. Greene. Mr. Greene made a motion to reappoint Mr. Dan Mikos to the Board, saying he had done a great job serving on that Board. This motion was seconded by Mr. Smith and on voice vote the motion carried unanimously.

Mr. Wright said he had noticed quite a few candidates in attendance and he said it had always been the custom to allow the candidates, once they declare, to call the City Clerk, Margie Handley to have three minutes on the agenda to introduce themselves. That will start at the first meeting in June.

2. **APPROVAL OF MINUTES**

Mr. Wright stated each member of the Council had previously received a copy of the minutes of the May 2, 2016 regular meeting.

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

3. **RESOLUTION NO. 5408-16 – BID NO. 04-16 – HOOVER PUBLIC SAFETY CENTER RE-ROOFING**

Mr. Wright stated a motion was in order to continue this item to the next meeting.

Admiral Natter made a motion to **continue Resolution No. 5408-16** to the next regular scheduled meeting. This motion was seconded by Mr. Rives. On voice vote the motion carried unanimously.

4. **RESOLUTION NO. 5409-16 – BID NO. 13-16 – STREET SWEEPING SERVICES**

The City Attorney read Resolution No. 5409-16. This would award Bid No. 13-16 for Street Sweeping Services to **Sweeping Corporation of America**; theirs being the lowest responsible bid meeting all specifications and requirements. This resolution would also authorize the Mayor to execute a contract with said company for the work to be performed.

Mr. Smith made a motion to **approve Resolution No. 5409-16**. 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.

5. **RESOLUTION NO. 5410-16 – DECLARE PROPERTIES AS PUBLIC NUISANCES DUE TO WEEDS AND/OR GRASS**

The City Attorney read Resolution No. 5410-16 declaring the weeds and/or grass on the properties at 6174 Valley Station Circle, 2308 Empire Road, 3256 Mockingbird Lane, 1858 Burning Tree Circle and 1312 Al Seier Lane as a public nuisance and ordering the abatement of said public nuisance as provided under Alabama law. The City Attorney also pointed out that three properties that were originally listed on the resolution had been removed.

Mr. Smith made a motion to **approve Resolution No. 5410-16**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council. Mr. Smith confirmed with Mr. Robert Macke, Zoning Inspector, that the pictures he presented were as of today. Admiral Natter asked Mr. Macke if he knew of the ownership of 1858 Burning Tree Circle and he said he believed that was a house that had a fire about a year or so ago. Mr. Macke responded that there had been some damage about two years ago and the neighbors said the owner had done some work and then apparently ran out of money. He said the owner is in Fort Mitchell, Alabama and the house is currently vacant. He said he does have a name for the owner but he is out of town and the neighbors said he hasn't been around in a while. Mr. Smith asked if the property has been abandoned. Mr. Macke said he didn't know but it has been vacant for a while. Mr. Smith asked if the condition was bad enough that the house should be demolished. Mr. Macke said he could have an inspector look at it but to his eye it isn't ready to be condemned. Mr. Greene asked if the property at 2308 Empire Road had been cut last year. Mr. Macke confirmed that it had and has been an ongoing problem. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

6. **RESOLUTION NO. 5411-16 – AUTHORIZE TRAVEL EXPENSE ADVANCE FOR CAPTAIN HARRY LONG.**

The City Attorney read **Resolution No. 5411-16**. This would authorize funds in advance in the amount of \$4,000 to Captain Harry Long to defray traveling costs and expenses to be incurred in connection with his training at the FBI Academy in Quantico, Virginia, the training to commence on July 11, 2016 through September 16, 2016.

Mr. Smith made a motion to **approve Resolution No. 5411-16**. This motion was seconded by Admiral Natter. Mr. Wright called for discussion from the Council or the audience, there being none on voice vote the motion carried unanimously.

7. **PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE JEFFERSON COUNTY MULTI-HAZARD MITIGATION PLAN.**

RESOLUTION NO. 5412-16 – ADOPTION OF THE 2014 JEFFERSON COUNTY MULTI-HAZARD MITIGATION PLAN.

Mr. Wright announced the public hearing to consider adoption of the Jefferson County Multi-Hazard Mitigation Plan. The City Attorney read **Resolution No. 5412-16** which would adopt the 2014 Jefferson County Multi-Hazard Mitigation Plan, he stated the City has participated in the development of the plan in accordance with the Disaster Mitigation Act of 2000.

Mr. Smith made a motion to **approve Resolution No. 5412-16**. This motion was seconded by Admiral Natter. Mr. Wright called for discussion from the Council or the audience.

Lt. Rusty Lowe of the Hoover Fire Department addressed the Council and explained this is the hazard mitigation plan that goes along with Jefferson County's emergency operation plan. This particular section of the plan was actually completed in 2014 and was rejected by FEMA who sent it back for corrections. He said the corrections have been made throughout the plan but basically the plan has to be in place to be eligible to receive funds for any long term mitigation that occurs after a disaster. Mr. Smith asked if there were any budgetary

monies that need to be included. Lt. Lowe responded there were none. Mr. Wright called for further discussion, there being none, on voice vote the motion carried unanimously.

8. **RESOLUTION NO. 5413-16 – AUTHORIZE MAYOR TO EXECUTE RIGHT-OF-WAY AND EASEMENT DEED TO JEFFERSON COUNTY FOR SANITARY SEWER PURPOSES.**

The City Attorney read **Resolution No. 5413-16**. This would authorize the Mayor to execute a right-of-way and easement deed to Jefferson County for sanitary sewer purposes on property owned by the City of Hoover being situated on the Hoover indoor center site adjacent to the Hoover Met.

Mr. Smith made a motion to **approve Resolution No. 5413-16**. This motion was seconded by Admiral Natter. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

9. **RESOLUTION NO. 5414-16 – AUTHORIZE INSTALLATION OF FIRE HYDRANTS FOR THE STADIUM TRACE EXTENSION AND LAKE WILBORN, PHASE 1.**

The City Attorney read **Resolution No. 5414-16**. This would authorize Birmingham Water Works to install fire hydrants for the Stadium Trace extension and Lake Wilborn, Phase 1.

Mr. Smith made a motion to **approve Resolution No. 5414-16**. This motion was seconded by Admiral Natter. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

10. **ABC APPLICATION – FOR CLRS, LLC d/b/a SHADES CREST SHELL LOCATED AT 3401 SOUTH SHADES CREST ROAD TO ALLOW THE OFF PREMISE SALE OF RETAIL BEER AND RETAIL TABLE WINE.**

Mr. Wright stated this is a request for approval of an ABC Application for CLRS, LLC, d/b/a Shades Crest Shell at 3401 South Shades Crest Road to allow the sale of off premise retail beer and table wine. This is a change in ownership on a previously approved site.

Mr. Lyda made a motion to approve the **ABC Application**. This motion was seconded by Admiral Natter. Mr. Wright called for discussion from the Council. There being none, he called for discussion from the audience. There being none, on voice vote the motion carried.

11. **2ND READING RESOLUTION NO. 5403-16 – DE-ANNEX A PORTION OF PROPERTY LOCATED AT 1400 SHADES CREST ROAD, OWNED BY MELBA KANE AND JOLENE H. MILLS.**

The City Attorney had the second reading of **Resolution No. 5403-16** which would de-annex a portion of the property at 1400 Shades Crest Road. The owners of the property have requested the Council to de-annex the property.

Mr. Smith made a motion to **adopt Resolution No. 5403-16**. This motion was seconded by Admiral Natter. Mr. Wright called for questions from the Council or the audience.

Mr. Smith stated the property fronts two roads and the owners have subdivided the property into two lots. He explained that the lot on Shades Crest Road will remain in the City and the other lot would ultimately be annexed into Homewood. Mr. Wright called for additional

discussion 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"; Admiral Natter, "Yea"; Mr. Rives, "Yea"; Mr. Smith, "Yea"; and Mr. Wright, "Yea". The motion carried unanimously.

12. **2ND READING RESOLUTION NO. 5404-16 – DE-ANNEX OLD BERRY HIGH SCHOOL LOCATED AT 2816 COLUMBIANA ROAD OWNED BY THE HOOVER BOARD OF EDUCATION.**

The City Attorney had the second reading of **Resolution No. 5404-16** which would de-annex Old Berry High School located at 2816 Columbiana Road. The owner of the property is the Hoover Board of Education, they have entered into a sales contract for the sale of the property, the sales contract is contingent upon the de-annexation of the property from the City of Hoover. The Board of Education has requested the Council to de-annex the property.

Mr. Smith made a motion to **adopt Resolution No. 5404-16**. This motion was seconded by Admiral Natter. Mr. Wright called for questions from the Council or the audience.

Admiral Natter asked the City Attorney if the property is de-annexed and the sale doesn't go through, does Hoover get the property back. The City Attorney replied no, not if it's already been de-annexed. He stated the de-annexation is not contingent on the sale; the sale of the property is contingent upon the de-annexation. The City Attorney explained they are not going to file with the Probate Court until they have a comfort level that the sale is going to go through. Admiral Natter asked Dr. Murphy if the school board is in favor of this, Dr. Murphy replied yes.

Mr. Dan Fulton, 1440 Alford Avenue came forward to address the Council. He first asked the City Attorney if the property is annexed and the sale goes through and Vestavia Board of Education holds the property and they decide it won't work for a junior high school, can they then just go ahead and sell it. The City Attorney responded that it is an issue between the two Boards of Education, not the City. He said his opinion is that they are not constrained about what they can use it for as long as the zoning fits. Once it's theirs, it's theirs, there are no strings attached that say it's going to revert and we're going to undo this. Mr. Fulton said that if a developer comes in wanting to build a luxury hotel on the site and they zone it, then they can do that. Mr. Waldrep said that if it meets the zoning requirements for the City of Vestavia, and we're assuming it's going to be annexed into the City of Vestavia and not remain in unincorporated Jefferson County. Mr. Fulton said he understood.

Mr. Fulton pointed out that when the Board of Education voted to sell the property it was not a unanimous vote, it was just 3 of 5 on a very important decision. He said that Old Berry is very important to the residents of Hoover and has historical value and it should stay in Hoover. He said he is calling on the Council tonight to refuse to de-annex and instead buy the property from the Board of Education and write them a check for eleven million dollars. He said the City could recoup the money and he believes it would be an excellent investment for the City of Hoover. He described the location as being central with Columbiana Road, U.S. Hwy 31 and I-65 all merging together, it is central to the greater Birmingham area so anything that is put there is going to be easily accessed from all over. He stated some possible uses for the property include a luxury resort hotel and he would suggest a sports legends luxury hotel that would fit with the Southeastern Conference, the NCAA and the

Alabama Sports Hall of Fame, a place where you can see exhibits. He said another option is a luxury retirement community or they could look at a UAB south campus. He said if you look at the 6 major cities for Alabama all of them have major colleges. He said Hoover has a satellite Jefferson State Community College but not a major college. Other options are a comprehensive health fitness aquatic center or perhaps a large, mega church. He said if it goes to Vestavia the City loses a revenue stream. He asked the Council to think long and hard before they de-annex the property. He said the school board needs the eleven million dollars and the City will have to work with them on that, he doesn't want them to lose out but we need to keep that property.

Mr. Smith asked Mr. Kelly of the Hoover Board of Education if the board vote was required to be a super majority or a simple majority. Mr. Kelly responded that if they have less than 4 members present it must be a majority vote; they had a full quorum and 3 to 2 was enough to get it passed, a simple majority. Mr. Smith asked Mr. Yeager if the City were to buy the property would the reserves drop by approximately a third. Mr. Yeager confirmed that general fund reserves would drop by a third. Mr. Smith asked what that would do to our bond rating since we are going to be going to the market soon. Mr. Yeager replied it would adversely affect our AAA rating. Mr. Wright stated it would take the rest of the reserves to repair it.

Mr. Wright called for additional comments or question from the Council or the audience, there were none and on roll call vote of the Council the votes were as follows: Mr. Greene, "Yea"; Mr. Lyda, "Yea"; Admiral Natter, "Yea"; Mr. Rives, "Yea"; Mr. Smith, "Yea"; and Mr. Wright, "Yea". The motion carried unanimously.

13. **2ND READING RESOLUTION NO. 5407-16 – AUTHORIZE THE CITY OF HOOVER TO USE THE SAME TYPE OF ELECTRONIC VOTING DEVICES AS USED BY JEFFERSON COUNTY FOR ALL MUNICIPAL ELECTIONS.**

The City Attorney had the second reading of **Resolution No. 5407-16** which would authorize the City of Hoover to use the same type of electronic voting devices as used by Jefferson County for all municipal elections.

Mr. Smith made a motion to **approve Resolution No. 5407-16**. This motion was seconded by Admiral Natter. Mr. Wright called for questions from the Council or the audience.

Admiral Natter asked if these were the same type voting machines used in the Primary election and Mr. Waldrep replied they are the same. Mr. Wright called for any further discussion from the Council or audience, there being none, on roll call vote of the Council the votes were as follows: Mr. Greene, "Yea"; Mr. Lyda, "Yea"; Admiral Natter, "Yea"; Mr. Rives, "Yea"; Mr. Smith, "Yea"; and Mr. Wright, "Yea". The motion carried unanimously.

14. **2ND READING ORDINANCE NO. 16-2301 – AMEND MUNICIPAL CODE, CHAPTER 8, LICENSES AND BUSINESS REGULATIONS, BY ADDING ARTICLE XIII, SOLICITATION AND PEDDLING REGULATIONS.**

Mr. Wright explained that the second reading of Ordinance No. 16-2301 would be continued until the next meeting in June. Admiral Natter made a motion to continue the second reading of Ordinance No. 16-2301 to the next Council meeting. Mr. Smith seconded the motion. On voice vote the motion carried unanimously.

15. **1ST READING ORDINANCE NO. 16-2302 – VACATE A PORTION OF RV TRACE RIGHT-OF-WAY FOR THE ERECTION AND MAINTENANCE OF A PUBLIC BUILDING.**

The City Attorney had the First Reading of **Ordinance No. 16-2302**. This ordinance authorizes the City to vacate a portion of the RV Trace right-of-way; the Council desires to initiate a vacation of that portion of the right-of-way with a sufficient amount of the right-of-way to remain open to accommodate travel and the traffic of the general public. The vacation of the right-of-way is for the erection and maintenance of the municipal building.

The second reading and consideration for adoption will be on Monday, June 20, 2016.

16. **1ST READING ORDINANCE NO. 16-2306 – AMEND MUNICIPAL CODE, CHAPTER 11.5, PARKS AND RECREATION.**

The City Attorney had the First Reading of **Ordinance No. 16-2306**. This ordinance amends portions of Chapter 11.5 of the municipal code. Mr. Waldrep explained that the Alabama Legislature enacted legislation completely pre-empting the entire field of regulation touching in any way upon firearms to the complete exclusion of any order, ordinance or rule promulgated or enforced by any political subdivision of the state. The City received a complaint from the Attorney General's office stating that the office had received a sworn petition requesting an investigation of signs prohibiting firearms posted at city owned parks and facilities. Subsequently, the Attorney General determined that Alabama Law does not allow the City of Hoover to prohibit firearms at public parks. Currently the Municipal Code does not permit the possession or carrying of firearms at city athletic parks, lake parks, passive or playground parks and preserves. The City was given until May 16, 2016 to modify any ordinances regulating firearms and to remove any signage related to firearms at City owned parks. This ordinance will remove the word firearms from the list of prohibited items at all City owned athletic parks, lake parks, passive or playground parks and preserves.

Mr. Smith asked Mr. Waldrep if that includes Hoover East, Shades Mountain and Hoover Central. Mr. Waldrep replied that if those activities are occurring in an athletic park, lake park a playground or preserve then it will; it will allow the firearm provision.

Admiral Natter asked Mr. Waldrep if it included the Library. Mr. Waldrep said that the Library, in their opinion, is affixed to the walkover to the municipal building. Mr. Waldrep said it is not included in this ordinance. Allen Pate explained that the library was excluded but they said we have to take the signs down there too because it does not have controlled access. He stated that temporarily, there is controlled access there; Chief Derzis has put a police officer on the door as a guard that is in place for this week. He said they will talk with the Mayor and Council to see if they want to provide permanent access in the way of a guard there. Mr. Waldrep stated that this ordinance does not address that. Admiral Natter said that the open carry law says if you do not have a guard there you have open carry access. Mr. Waldrep said that is correct. Admiral Natter said in order to prevent firearms into the library we would have to have a guard at the entrance. Mr. Waldrep said that is correct. Chief Derzis said that a guard was there starting this morning at 8:00 and there's only one entrance, the other entrance has been closed. Mr. Smith asked about the Senior Center and the Rec Center. Chief Derzis said the Rec Center has controlled access. Mr. Pate said the Senior Center wasn't challenged. Mr. Waldrep said this is really about the signage. Mr. Smith said

he is wondering if the Senior Center should receive the same attention as the library; he clarified that he was asking that of the Council not Chief Derzis. Admiral Natter said he believes they have some rules in effect and they do have limited access to people coming and going in there as they do at the Rec Center. Mr. Waldrep said the Rec Center does have controlled access because they are checking identification, he stated he didn't know if they had that at the Senior Center. Admiral Natter said he didn't know if they check identification. Mr. Smith asked about the school properties and the athletic fields attached to them. Chief Derzis said it is not a problem at the schools.

The second reading and consideration for adoption will be on Monday, June 6, 2016.

17. **PUBLIC HEARING – CONDITIONAL USE – ON OR OFF PREMISE SALE OF RETAIL BEER AND RETAIL TABLE WINE – PHO 280 LLC – 5426 HWY 280 EAST, SUITE 9; AND APPROVAL OF ABC APPLICATION**

Mr. Wright stated this is the public hearing to consider the request of Hoa Huy Tran, representing PHO280 LLC, for **conditional use** approval to allow the on or off premise sale of retail beer and retail table wine at PHO 280, 5426 Hwy 280 East, Suite 9. This property is owned by The Terrace, LLC and is zoned PC – Planned Commercial. *PZ Case #C-0516-06*

Mr. Lyda made a motion to approve the **conditional use**. This motion was seconded by Admiral Natter. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

Mr. Lyda made a motion to approve the **ABC Application** for PHO280 LLC. This motion was seconded by Admiral Natter. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

18. **SET PUBLIC HEARINGS FOR MONDAY, JUNE 6, 2016 AT 6 PM TO CONSIDER ITEMS COMING FORWARD WITH POSITIVE RECOMMENDATIONS FROM THE MAY 9, 2016 PLANNING AND ZONING COMMISSION MEETING**

Mr. Wright stated a public hearing is hereby set for Monday, June 6, 2016 at 6:00 p.m. to consider the request of Jonathan Belcher, Blackridge Partners LLC, to rezone approximately 1519.3 +/- acres located east of South Shades Crest Road, north of the Cahaba River, and lying between Stadium Trace Parkway and Highway 52 from A-1 (Agriculture) and NZ (Not Zoned) to **PUD** (Planned Unit Development) to be known as **Blackridge**. This property is owned by Blackridge Partners, LLC, and Riverwoods Holdings, LLC. **1st reading of Ordinance No. 16-2303.**

Mr. Wright said that Mr. House would give a brief overview and he understood that the applicant wanted to make a retraction on one point. Mr. Bob House said there is a reference in the document to reserve density of 1,232 units. He said the retraction, prior to the first reading, is to delete the reference in the document to reserve density. Mr. House stated that the Planned Unit Development contains approximately 1519 acres and they propose to construct 1,150 dwellings, less than one dwelling per acre on the property with the exception of the medium density area which can have as many as 362 units. All of the lots will comply with the R-1 zoning which is 15,000 square ft. lots and 75 ft. lot width. The property will be accessed through the Wilborn property and he gave a hand-out showing the access. He said the map also shows the Wilborn property and the reason that is shown is that Stadium Trace

will be extended through the Wilborn property over the railroad tracks down into the Signature property which is about 650 units and over the second railroad to the Riverwoods property which is about 500. He said it is important that the development of the property progress from north to south so the City can serve it in an efficient manner. It prohibits the property from being developed from south to north in order to have a good access for public safety and public services. He referred to the development plan showing the main primary road through the Signature property which is to be a private gated community so there will be no through traffic from Hwy 52 up through Trace Crossings. He stated that when the property was annexed it was subject to an annexation agreement and the developer has agreed to comply with all the conditions of that annexation agreement with regard to density, park and recreation land donations, fire station construction and school sites.

Mr. Smith asked Mr. House about the give back density and Mr. House explained that 2,320 units will now be give back and it will not be the 1,232 which was the reserve. Mr. Smith asked how many students that would save the school system. Mr. House said approximately 300 or 400 students at least. Admiral Natter stated that Mr. House mentioned something about a school site. Mr. House explained that the annexation agreement required that the developer require a school site for each 1,800 units but with the reserve density going away the maximum that can be constructed on this property subject to the annexation agreement is 1,150 units so the developer would not owe the school board a school site.

Mr. Wright asked if there were any additional questions for Mr. House or the Council, there were none and the City Attorney had the first reading of **Ordinance No. 16-2303**.

Mr. Wright proceeded with the next request of the City of Hoover to rezone approximately 6.63 acres of Lot 3, Hoover Met Resurvey located at **1000 RV Trace** from A-1 (Agricultural District) to C-2 (Community Business District) for the construction of a building for the new Hoover Sportsplex.

Mr. Wright asked Mr. House to proceed with his comments. Mr. House explained that this is for the Hoover Sportplex building and some of the building is on the Hoover Met property which is zoned C-2 and some of the property it is on is currently zoned A-1, Agriculture. In order to achieve compliance with the zoning ordinance all the building property has to be zoned C-2 . He pointed out the area on a map distributed to the Council.

Mr. Wright asked if there were any questions, there were none and the City Attorney had the first reading of **Ordinance No. 16-2304**.

Mr. House addressed the next request; Mr. Daniel W. Braden, Braden properties II, LLC requests to rezone 4 lots located at **3428, 3432, 3436 & 3440 Sierra Drive** from C-1 (Neighborhood Shopping District) to C-2 (Community Business District) to provide additional parking area for the King Acura and Tameron Honda automobile dealerships. This property is owned by Anne H. Sarrels, James O. Bendall & Albert Lee Bendall and William M. & Lena T. Willoughby. *PZ Case #Z-0516-05* **1st Reading Ordinance No. 16-2305**.

Mr. House said the property is proposed to be purchased by Tameron Honda for the use of storing operable used vehicles, new vehicles and possibly employee parking. He said the property actually abuts Crest Cadillac on the primary boundary of the property but Tameron

has access to it from their north parking lot. King Acura plans to use a small portion of the property; they will access it from Sierra Drive so there is one driveway from Sierra Drive to the subject property. Mr. House presented documents to the Council and stated there was no opposition at Planning Commission but there were restrictions recommended by the Planning Commission regarding limitation of its use, type of light fixture, type of fence constructed around the property, no automobile delivery trucks parked in the street. He said that if King Acura does not participate in this parking area then the driveway going to Sierra Drive will be eliminated and that was a concern that everyone had; trying to keep traffic off of Sierra Drive. He said if King Acura stays in the deal the driveway will stay; if they find another site then the driveway will be closed and Tameron can access the property through their existing parking area.

Mr. Smith said the houses currently on the lots will be demolished and replaced with asphalt. Mr. House said yes, replaced with asphalt, curbing, landscaping and decorative metal fencing and he referred to the rendering showing ornamental iron fence along Sierra and landscaping between Sierra and the fence to improve the appearance.

Mr. Wright thanked Mr. House for his comments. The City Attorney had the first reading of **Ordinance No. 16-2305**.

19. **PAYMENT OF BILLS**

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

Mr. Wright announced the Regions Golf Tournament coming up on Wednesday and the following week the SEC baseball tournament. Mr. Wright then recognized a Boy Scout in the audience, Mr. Wolfe Anderson of Troop 96 and Mr. Wright stated he was glad to have him in attendance.

Mr. Wright recognized Mr. Arnold Singer, 613 Riverhaven Place, Hoover, Alabama, who came forward to address the education issue with regard to the 1,800 units. Mr. Singer stated he wanted to remind everyone that the annexation that took place in 1994 involved 2,420 acres, this particular development is 1519 acres; he said that most of the rest of the acreage from that period is still owned by US Steel. He explained that any development on that property of residential homes would count toward the 1,800 homes. He said it's going to be another 8, 10 or 15 years before all of this is fully developed and the annexation agreement and its conditions may not be remembered. He said that in the PUD document, before it's voted on, it should be acknowledged regarding the 2,420 acres and its connection to that piece of land and the obligation to the Board of Education. Mr. Singer said that at the Planning & Zoning meeting it was mentioned that not all of the units will have sewage, there will be some septic connections and he doesn't believe they will get the price for the homes with septic systems that they could with sewer. He doesn't know the requirements with regard to Jefferson County extending the sewer system to cover that area but there is another player to be considered and that is Southwest Water Company. He said the new residents deserve to have the best when they come.

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

Lisa Lindsey, Assistant City Clerk