

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: Monday, February 5, 2018
TIME: 6:00 P.M.
PLACE: Hoover Municipal Center
PRESENT: 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

ABSENT: Mayor Frank V. Brocato

ALSO PRESENT: Mr. Phillip Corley, Wallace, Jordan, Ratliff & Brandt, LLC
Ms. April Danielson, Wallace, Jordan, Ratliff & Brandt, LLC
Chief Clay Bentley, Fire Chief
Ms. Amanda Borden, Library Director
Mr. Jason Cope, Director of Technology
Chief Nick Derzis, Police Chief
Ms. Susan Fuqua, Director, Municipal Court
Mr. Greg Knighton, Economic Developer
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. Mac Martin, City Planner
Mr. Ben Powell, Director, Purchasing
Mr. Craig Moss, Director, Parks & Recreation
Mr. Allan Rice, City Administrator
Mr. Tim Westhoven, Chief Operations Officer
Mr. Jim Wyatt, Director, Inspection Services
Mr. Robert Yeager, Treasurer

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 to approve the minutes of the January 18, 2018 regular meeting. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council. There being none, on voice vote the motion carried unanimously.

2. **REPORTS**

Mr. Allan Rice said the final Future Hoover meeting will be held tomorrow night at City Hall in the Council Chambers.

Councilman Murphy gave a brief review of Black History Month. He then read a **Proclamation** proclaiming the month of February, 2018 as **Black History Month**. The framed proclamation was presented to Ms. Marilyn Jones and Mr. Charles Whatley; African American teachers that helped integrate Berry High School. Ms. Jones and Mr. Whatley each took a moment to express how much they enjoyed their teaching experience and working for Hoover City Schools.

The City Attorney read a **Proclamation** honoring **Alberto (Al) Castillo, Jr.**, Retired U.S. Army Combat Veteran, Senior Non Commissioned Officer and recipient of two purple hearts, in appreciation for his service to the United States and his valuable contributions to the veteran's community. Upon his retirement Mr. Castillo relocated to the City of Hoover and in 2016 established the Alabama Veteran organization. Mr. Jody Chapman, Chief Operations Officer of the Alabama Veteran organization, accepted the proclamation on behalf of Mr. Castillo.

Ms. Jennifer Whisenant, Member of the Board of Directors of the Moss Rock Festival, came forward for the **Moss Rock Festival Project Planet** presentation. She reported that the festival is in its twelfth year and continues to grow. She expressed her gratitude for the support from the City of Hoover, their sponsors, vendors and artists. The theme this year for Planet Project was Coral Reefs. Hoover Schools Superintendent Dr. Kathy Murphy and Board of Education members Craig Kelley and Deanna Bamman joined Ms. Whisenant for the presentation to the following Project Planet participants: Ms. Julie Altmark and students from Shades Mountain for their project titled *Coral Reef*; Ms. Traci Knight Ingleright and students from Gwin Elementary for their project titled *Waters Colors*; Ms. Jana Budoff Maynard and students from Brocks Gap Intermediate School for their project titled *Colorful Corals*; Ms. Sammi Funkhauser Thrasher and students from Deer Valley Elementary for their project titled *A Colorful Coral Collage*; Ms. Meg Copeland and students from Bluff Park Elementary for their project titled *Sculpted World*; Ms. Shannon Bourn and students from Prince of Peace Catholic School for their project titled *Cardboard Coral Reef*.

Mike Lewis, Human Resources Director, reviewed proposed changes to the **City of Hoover Personnel Policy and Procedure Manual** to be considered by the City Council at the February 19, 2018 meeting. Mr. Lewis said the policies and procedures had not been updated since 2006 with the exception of a couple of minor updates in 2009 at the time of the last classification and compensation study. This is the first phase of two planned revisions. This phase contains legal revisions and updates, cleans up out of date practices and updates the current organization structure. The second phase will address compensation and benefits once the classification and compensation study is complete. Phase 1 includes two new sections that address standards of conduct and email communications. The proposal is available for review over the next two weeks and will also be posted for 10 days as required. This version is subject to City Council review and input. With no major changes they have

targeted the February 19, 2018 Council meeting for adoption. Mr. Lewis addressed questions from the City Council. Regulations regarding social media are not specifically addressed in this revision. The nepotism section that defines family relationships has been revised to remove the restriction on nieces and nephews. In looking at other city's policies he found that that for the most part other cities really have no restrictions spelled out. Mr. Smith asked the clerk to place this item on the February 15, 2018 work session agenda for additional discussion.

A group of students from Spain Park High School and Gwin Elementary School were present to talk about and promote the upcoming **Pink Shirt Day**. On February 8, 2018 the students are asking everyone to wear pink shirts to stand up against bullying. This movement has also been turned into a week of kindness with activities and a kindness wall and random acts of kindness. The object is to spread kindness across all Hoover schools and across all of Hoover.

3. **RESOLUTION NO. 5775-18 – AMEND RESOLUTION NO. 5684-17, AS AMENDED BY RESOLUTION NO. 5733-17 – DECLARE ITEMS AS SURPLUS**

The City Attorney read Resolution No. 5775-18. This would amend Resolution No. 5684-17, as amended by Resolution No. 5733-17, declaring items as surplus, to change the disposition of a vehicle and various laptop computers.

Mr. Lyda made a motion to approve **Resolution No. 5775-18**. This motion was seconded by Mr. Greene. Mr. Ben Powell, Purchasing Director, gave an overview of the changes and answered questions from the Council. On voice vote the motion carried unanimously.

4. **RESOLUTION NO. 5776-18 – AUTHORIZE MAYOR TO EXECUTE AGREEMENT WITH ALABAMA POWER COMPANY REGARDING UNDERGROUND EASEMENT AT HOOVER MET COMPLEX**

The City Attorney read Resolution No. 5776-18. This would authorize the Mayor to execute an agreement with Alabama Power Company regarding an underground easement at the Hoover Metropolitan Complex.

Mr. Lyda made a motion to approve **Resolution No. 5776-18**. This motion was seconded by Mr. Greene. Mr. Tim Westhoven, Chief Operations Officer, gave an overview of this item. There being no discussion, on voice vote the motion carried unanimously.

5. **RESOLUTION NO. 5777-18 – AUTHORIZE MAYOR TO EXECUTE SERVICE AGREEMENT WITH CHARTER COMMUNICATIONS OPERATING LLC ON BEHALF OF SPECTRUM**

The City Attorney read Resolution No. 5777-18. This would authorize the Mayor to execute a service agreement with Charter Communications Operating, LLC on behalf of Spectrum regarding internet service at the Hoover Recreation Center.

Mr. Lyda made a motion to approve **Resolution No. 5777-18**. This motion was seconded by Mr. Greene. Mr. Jason Cope, IT Director, gave an overview of this item. After a brief discussion, on voice vote the motion carried unanimously.

6. **ABC APPLICATION – GUADALAJARA GRILL – 3470 GALLERIA CIRCLE**

This is due to a restaurant name change on an application that was previously approved at the December 18, 2017 Council meeting as Mesa Mexicana restaurant.

Mr. Shaw made a motion to approve the **ABC Application** (020-Restaurant Retail Liquor) for Americanmex Investments Inc. d/b/a Guadalajara Grill, 3470 Galleria Circle, due to a restaurant name change at a previously approved site. This motion was seconded by Mr. Greene. There being no discussion, on voice vote the motion carried unanimously.

7. **PUBLIC HEARING – CONDITIONAL USE – SENIOR LIVING CENTER – 2171 PARKWAY LAKE DRIVE – S&K INVESTMENTS**

Mr. Smith stated this is the public hearing to consider the request of Cole Williams, Goodwyn, Mills, & Cawood, Inc., for conditional use approval for the Crossings of Hoover, a Senior Living (Independent, Dependent, and Memory Care) Center to be located at 2171 Parkway Lake Drive on the corner of Montgomery Highway and Parkway Lake Drive. The property is owned by S&K Investments and is zoned PUD PI (Planned Light Industrial). *PZ Case #C-0118-01*

Mr. Cole Williams, Goodwyn Mills & Cawood, gave a power point presentation. Mr. Troy DeHaven, Smith/Packett Med Com, 4423 Pheasant Ridge Road, Roanoke, Virginia, spoke as the developer for the project and answered questions from the Council. There was a question about the average salary of their employees and because it is such wide range the information was not readily available but Mr. DeHaven said he could get that information for the Council. There are approximately 120 to 125 employees. There was discussion about safety factors considering the proximity of the lake and Mr. DeHaven said that memory care residents are within an enclosed facility and do not leave that area without supervision.

Mr. Steve Grondin, 199 Trace Ridge Road, inquired as to the emergency plan for the facility. Mr. Holmes, 4423 Pheasant Ridge Rd., Roanoke, Virginia, Smith/Packett, said every community has their own developed emergency response plan that requires state review as part of the licensing process for the assisted living and memory care portion of the building.

Mr. Shaw made a motion to approve the **conditional use**. This motion was seconded by Mr. Greene. Mr. Shaw noted this property is zoned Planned Industrial with many different possible uses and he was pleased to see this development going in there. There being no additional discussion, on voice vote the motion carried unanimously.

8. **PUBLIC HEARING – CONDITIONAL USE – BEER AND WINE – HAMPTON INN AND SUITES – 4520 GALLERIA BLVD, STE 144 – AUM ENTERPRISES INC**

Mr. Smith stated this is the public hearing to consider the request of Rakesh Patel, representing AUM Enterprises Inc., for conditional use approval for retail beer (off premises only) and retail table wine (off premises only) to be sold in the convenience store inside the Hampton Inn and Suites located at 4520 Galleria Blvd, Ste. 144. AUM Enterprises Inc. is the property owner and the property is zoned PC (Planned Commercial). *PZ Case #C-0118-02.*

Mr. Smith said the applicant has requested that this item be withdrawn. Mr. Shaw made a **motion to withdraw**. This motion was seconded by Mr. Greene. On voice vote the motion carried unanimously.

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

Mr. Smith called for further comments or questions from the Council or the audience.

Mr. Stephen Presley, 2401 Meadowlark Drive, commended the Council and administration for putting on the Future Hoover town meetings. He emphasized the need to continue to strive to communicate to every citizen about these types of events. He then extended an invitation to the Mayor and Council to attend the show choir showcase February 9th at Spain Park High School. Mr. Smith asked Mr. Rice to check on public service announcements on radio and TV as another way to advertise city wide meetings in the future.

A motion was made by Mr. Lyda and seconded by Mr. Greene to adjourn. On voice vote the motion carried unanimously.

Margie Handley
City Clerk