

**CITY OF HOOVER**  
**CITY COUNCIL**  
**MINUTES**  
**MONDAY, APRIL 19, 2021**  
**6:00 PM**

The City Council of the City of Hoover met in regular session on this date at 6:00 PM, in the Council Chambers at the Hoover City Hall, following publication and posting pursuant to Alabama Law. Council President John Lyda called the meeting to order.

**Members Present:** John B. Lyda, Council President  
Curt Posey, Council Pro-Tem  
Sam Swiney, Council Member  
Mike Shaw, Council Member  
Derick Murphy, Council Member  
Casey Middlebrooks, Council Member  
Steve McClinton, Council Member

**Other Officials Present:** Mayor Frank V. Brocato  
Phillip Corley, City Attorney  
Wendy Dickerson, City Clerk  
Allan Rice, City Administrator  
Tina Bolt, CFIO/City Treasurer

Mrs. Dickerson, City Clerk, led the invocation.

Mr. Swiney led the Pledge of Allegiance.

**ANNOUNCEMENTS**

- The following items have been postponed and will be heard at the May 3<sup>rd</sup> meeting:
  - Ordinance Number 21-2512 – Pre-Zoning – Everlee Planned Unit Development; Jonathan Belcher, Signature Homes, LLC, representing.
  - Resolution Number 6424-21 – Conditional Use – Everlee Planned Unit Development, Jonathan Belcher, Signature Homes, LLC, representing.
  - Ordinance Number 21-2513 – 3<sup>rd</sup> Amendment To The Blackridge Planned Unit Development; Jonathan Belcher, Signature Homes, LLC, representing.

**PRESENTATIONS**

- Beautification Board - Betty Davis – Litter Poster Contest
  - Teacher Recognitions
    - Megan Coffee, Trace Crossing Elementary
    - Ashley Myers, Gwin Elementary

- Danny Merryhill, Gwin Elementary
- Dr. White, Gwin Elementary
- Shaun Argo, Bluff Park Elementary
- Andy Weems, Bluff Park Elementary
- Litter Contest Winners
  - 3rd grade - Allie Renta - Bluff Park Elementary
  - 5th grader Skyler Gamorro - Bluff Park Elementary - 3<sup>rd</sup> Place
  - 5th grader - Lillie Mathis - Bluff Park Elementary - tied for 1<sup>st</sup> Place
  - 5th grader - Sarah Kate Skellie - Gwin Elementary - tied for 1<sup>st</sup> Place

**GUEST RECOGNITIONS**

- Former Council Member – Joe Reeves
- Hoover School Board President – Deanna Bamman
- Hoover School Board Vice-President – Amy Tosney
- Hoover School Board Member – Craig Kelly

**Consent Agenda**

**APPROVAL OF MINUTES**

**APRIL 1, 2021 (WORK SESSION) AND APRIL 5, 2021 (MEETING).**

**RESOLUTION NUMBER 6439-21**

**A RESOLUTION APPROVING AN ALCOHOL LICENSE FOR ELECTRICBP LLC D/B/A THE ELECTRIC 2146 TYLER RD STE 212 AND 214 HOOVER, AL LAURA BOYETTE SMITH, BENJAMIN GARY SMITH, EXECUTIVE(S).**

**RESOLUTION NUMBER 6440-21**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CLASTRAN.**

**RESOLUTION NUMBER 6442-21**

**A RESOLUTION AMENDING THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021.**

**RESOLUTION NUMBER 6443-21**

**A RESOLUTION AUTHORIZING FOUR PART-TIME BUS DRIVER POSITIONS FOR EVENTS.**

**RESOLUTION NUMBER 6444-21**

**A RESOLUTION DECLARING A PUBLIC PURPOSE AND AUTHORIZING THE REMOVAL OF STORM DEBRIS FROM PROPERTIES IMPACTED BY THE DEVASTATING STORMS, WHICH OCCURRED ON MARCH 25, 2021, IN THE CITY OF HOOVER, ALABAMA.**

**RESOLUTION NUMBER 6445-21**

**A RESOLUTION APPOINTING A PUBLIC DEFENDER FOR THE CITY OF HOOVER, ALABAMA.**

Mr. Corley read the summary of the Consent Agenda Items/Resolutions.

Mr. Lyda would like Resolution Number 6445-21 moved to Regular Agenda.

**MOTION** Motion for the approval of the Consent Agenda Items/Resolutions was made by Mr. Posey, seconded by Mr. Shaw.

Mr. Lyda asked if there were any questions from the Council or audience. There being none, discussion from the floor was closed.

Mr. Lyda called for the question with a voice vote and the motion carried approving all Consent Agenda items/Resolutions.

## **Regular Agenda**

### **RESOLUTION NUMBER 6445-21**

#### **A RESOLUTION APPOINTING A PUBLIC DEFENDER FOR THE CITY OF HOOVER, ALABAMA.**

Mr. Corley read the summary of the Resolution.

Mr. Shaw explained the search for the Public Defender and stated that Mr. Murphy recommended and made an excellent referral for the position.

Mr. Murphy thanked Mr. Shaw and Mr. Lyda in their detailed diligence in this search. He detailed many accomplishments of Ms. Wakisha Hazzard. She will be the 1<sup>st</sup> African American and female Assistant Public Defender for the City of Hoover.

**MOTION** Motion for the approval of Resolution Number 6445-21 was made by Mr. Murphy seconded by Mr. Shaw.

Mr. Lyda opened the floor and asked if there were any questions from the Council or audience.

The floor was closed for discussion.

Mr. Lyda called for the question with a voice vote and the motion carried approving Resolution Number 6445-21.

Ms. Wakisha Hazzard thanked the Council for her appointment.

### **RESOLUTION NUMBER 6441-21**

#### **A RESOLUTION APPOINTING A MEMBER TO THE HOOVER BOARD OF EDUCATION.**

Mr. Corley read the summary of the Resolution.

**MOTION** Motion for the approval of Resolution Number 6441-21 for the appointment of Alan Paquette was made by Mr. McClinton seconded by Mr. Posey.

Mr. Lyda opened the floor and asked if there were any questions from the Council or audience.

Dr. Middlebooks thanked the applicants and stated that he would have to abstain from the vote since he works for the City of Hoover Schools.

Mr. Murphy stated that he will, also, abstain from the vote.

Mr. Posey thanked Mr. McClinton for the process. He stated that there were a number of candidates and a lot of public feedback.

The floor was closed for discussion.

Mr. Lyda called for the question with a voice vote and the motion carried approving Resolution Number 6441-21.

Mr. Alan Paquette thanked the Council for his appointment.

**ORDINANCE NUMBER 21-2516**

**AN ORDINANCE TO MODIFY CHAPTER 8, LICENSES AND BUSINESS REGULATIONS, ARTICLE IX EMERGENCY TRANSPORT SERVICES AND TO REPEAL ALL ORDINANCES AND PARTS OF THE ORDINANCES OF THE CITY OF HOOVER, ALABAMA IN CONFLICT THEREWITH.**

Mr. Corley read the summary of the Ordinance.

**MOTION** Motion for the approval of Ordinance Number 21-2516 was made by Mr. Posey seconded by Mr. Shaw.

Mr. Lyda opened the floor and asked if there were any questions from the Council or audience. There being none, the floor was closed for discussion.

Mr. Lyda called for the question with a roll call vote, as follows:

Mr. Posey – yes	Mr. Swiney – yes
Mr. Shaw – yes	Mr. Murphy – yes
Dr. Middlebrooks – yes	Mr. McClinton – yes
Mr. Lyda – yes	Motion carried.

The motion carried approving Ordinance Number 21-2516.

**RESOLUTION NUMBER 6425-21**

**CONDITIONAL USE – 1727 MONTGOMERY HIGHWAY – TO ALLOW FOR A DRIVE-UP RESTAURANT; CURRENTLY ZONED HOOVER C-2; KATIE NELSON, WHATABURGER RESTAURANTS, INC., REPRESENTING.**

Mr. Corley read the summary of the Resolution.

**MOTION** Motion for the approval of Resolution Number 6425-21 was made by Mr. Posey seconded by Mr. Shaw.

Mr. Lyda opened the floor and asked if there were any questions or comments from the Council or audience.

The floor was closed for discussion.

Mr. Lyda called for the question with a voice vote and the motion carried approving Resolution Number 6425-21.

**RESOLUTION NUMBER 6423-21**

**CONDITIONAL USE – 3641 LORNA ROAD – TO ALLOW FOR A CONVENIENCE STORE/GAS STATION; CURRENTLY ZONED HOOVER C-2; SHAFIQ SAMJI, REPRESENTING.**

Mr. Corley read the summary of the Resolution.

**MOTION** Motion for the approval of Resolution Number 6423-21 was made by Mr. Posey seconded by Mr. Shaw.

Mr. Lyda opened the floor and asked if there were any questions from the Council or audience.

The floor was closed for discussion.

Mr. Lyda called for the question with a voice vote and the motion carried approving Resolution Number 6423-21.

**ORIDNANCE NUMBER 21-2512**

**PRE-ZONING – EVERLEE PLANNED UNIT DEVELOPMENT; JONATHAN BELCHER, SIGNATURE HOMES, LLC, REPRESENTING.**

Postponed until the May 3, 2021, meeting.

**RESOLUTION NUMBER 6424-21**

**CONDITIONAL USE – EVERLEE PLANNED UNIT DEVELOPMENT, JONATHAN BELCHER, SIGNATURE HOMES, LLC, REPRESENTING.**

Postponed until May 3, 2021, meeting.

**ORIDNANCE NUMBER 21-2513**

**3<sup>RD</sup> AMENDMENT TO THE BLACKRIDGE PLANNED UNIT DEVELOPMENT; JONATHAN BELCHER, SIGNATURE HOMES, LLC, REPRESENTING.**

Postponed until May 3, 2021, meeting.

**MOTION** Motion to continue Ordinance Number 21-2512, Resolution Number 6424-21, and Ordinance Number 21-2513 until the May 3, 2021, meeting was made by Mr. Shaw seconded by Mr. Posey.

Mr. Lyda called for the question with a voice vote and the motion carried to continue Ordinance Number 21-2512, Resolution Number 6424-21, and Ordinance Number 21-2513 until the May 3, 2021, meeting.

**ORIDNANCE NUMBER 21-2514**

**REZONING – R-1 TO R-LSF: 441 PARK AVENUE, 2104, 2112, 2113, 2124, 2129, 2136, AND 2137 BROOKVIEW DRIVE; E-2 TO R-LSF: 2116 AND 2136 CHAPEL ROAD, AND 2125, 2129, AND 2137 PIONEER DRIVE, VARIOUS OWNERS.**

Mr. Corley read the summary of the Ordinance.

**MOTION** Motion for the approval of Ordinance Number 21-2514 was made by Mr. Shaw seconded by Mr. Posey.

Mr. Lyda opened the floor and asked if there were any questions or comments from the Council or audience. There being none, the floor was closed for discussion.

Mr. Lyda called for the question with a roll call vote, as follows:

Mr. Posey – yes	Mr. Swiney – yes
Mr. Shaw – yes	Mr. Murphy – yes
Dr. Middlebrooks – yes	Mr. McClinton – yes
Mr. Lyda – yes	Motion carried.

The motion carried approving Ordinance Number 21-2514.

### **ORDINANCE NUMBER 21-2515**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF HOOVER, ALABAMA, TO REVISE APPENDIX I, ARTICLE 3, DEFINITIONS AND APPENDIX I, ARTICLE 6, ZONING DISTRICTS, TABLE 6-2 – USE REGULATIONS, NONRESIDENTIAL DISTRICTS.**

Mr. Corley read the summary of the Ordinance.

**MOTION** Motion for the approval of Ordinance Number 21-2515 was made by Mr. Shaw seconded by Mr. Posey.

Mr. Lyda opened the floor and asked if there were any questions from the Council or audience. There being none, the floor was closed for discussion.

Mr. Lyda called for the question with a roll call vote, as follows:

Mr. Posey – yes	Mr. Swiney – yes
Mr. Shaw – yes	Mr. Murphy – yes
Dr. Middlebrooks – yes	Mr. McClinton – yes
Mr. Lyda – yes	Motion carried.

The motion carried approving Ordinance Number 21-2515.

**1<sup>st</sup> Reading– Item(s) For May 3, 2021 (No Action To Be Taken At This Meeting)**

### **ORDINANCE NUMBER 21-2517**

**AN ORDINANCE TO MODIFY CHAPTER 13, SECTION 13-4 - SPECIAL EVENTS AND TO REPEAL ALL ORDINANCES AND PARTS OF THE ORDINANCES OF THE CITY OF HOOVER, ALABAMA IN CONFLICT THEREWITH.**

Mr. Corley read the summary of the Ordinance.

**Public Comments**

The following person(s) spoke:

- Charles Hudson, Lakes Edge Drive

There being no further business, the meeting was adjourned at 6:32 p.m.

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Wendy Dickerson, City Clerk