

**CITY OF HOOVER
CITY COUNCIL
MINUTES
JUNE 17, 2019**

The City Council of the City of Hoover met in a regular work session on this date at 6:00 PM, in the Council Chambers at the Hoover Municipal Complex, following publication and posting pursuant to Alabama Law. Council President Gene Smith called the meeting to order.

Members Present: Gene Smith, Council President
John Greene, Council Pro-Tem
Casey Middlebrooks, Council Member
Curt Posey, Council Member
Mike Shaw, Council Member

Members Absent: John Lyda, Council Member
Derrick Murphy, Council Member

Other Officials Present: Mayor Frank V. Brocato
April Danielson, City Attorney
Rod Evans, City Attorney
Nick Derzis, Police Chief
Jehad Al-Dakka, Executive Officer, Police Department
Clay Bentley, Fire Chief
Craig Moss, Director Parks and Recreation
Duke Moore, Fire Marshall
Wendy Dickerson, City Clerk
Greg Knighton, Economic Development Director
Mike Lewis, Human Resources Director
Rod Long, City Engineer
Jim Wyatt, Building Inspections Director
Robert Macke, Zoning Inspector
Ben Powell, Purchasing Director
Dustin Moore, Fleet Manager
Linda Moore, 911 Director
Melanie Posey, Public Information Officer
Allan Rice, City Administrator
Tim Westhoven, Chief Operations Officer
Ellen Williams, Executive Assistant to Mayor Brocato
Robert Yeager, City Treasurer

Mindy Wyatt, Applications Systems Specialist
Debbie Carrier, Risk Management
Susan Fuqua, Director, Municipal Court
Amanda Borden, Library Director

Mrs. Wendy Dickerson, City Clerk, led the invocation. Mr. Smith asked everyone to remember the firefighter from Springville that lost his life in a training exercise today in Anniston.

Mr. Curt Posey, Council Member led the Pledge of Allegiance.

MINUTES

The minutes of the May 6, 2019, regular meeting and May 16, 2019, work session was presented for approval.

MOTION: Motion to dispense with the reading of the minutes of the May 6, 2019 (Regular Meeting) and May 16, 2019 (Work Session) and approve them as presented was made by Mr. Posey and seconded by Mr. Greene.

Mr. Smith called for a voice vote and the motion carried, approving the minutes of the May 6, 2019, regular meeting and May 16, 2019, work session.

ANNOUNCEMENTS, REPORTS, GUEST RECOGNITIONS, EMPLOYEE RECOGNITIONS, AND PROCLAMATIONS

Mayor Brocato wanted to recognize 20 year employee Scott Hatchett. Mayor Brocato said Scott started in 1999 as a grounds keeper in the Parks and Maintenance Department and then moved into the Laborer's position in 2000 and then he became the Courier in the Fleet Department and in 2009 he took over the supplies as the Stock Clerk and maintains the entire inventory fleet. Mayor Brocato said he does an outstanding job.

Mayor Brocato also wanted to recognize Terry Smith. Mayor Brocato said Terry started in 1994 and is an Intermediate Clerk promoted to Administrative Assistant in 1999 and Senior Assistant in 2009 and then Administrative Services Supervisor in 2015. Mayor Brocato said Terry does an outstanding job. Mayor Brocato said they will miss Terry due to her retiring.

Mayor Brocato wanted to recognize two outstanding long time employees recognized in their field by their peers, Dr. Melinda James Lopez, who was recognized as a finalist at the 2019 CFO awards by the Birmingham Business Journal and also the City Engineer, Rod Long was named the 2019 Transportation Engineer of the Year.

CONSENT AGENDA

RESOLUTION NUMBER 6017-19

A Resolution Approving An Alcohol License For Desi Dhaba, Inc. d/b/a Bawarchi Indian Cuisine; Abhinav Chandra Varada, Executive

RESOLUTION NUMBER 6018-19

A Resolution Approving An Alcohol License For The Crafters House, LLC d/b/a The Crafters House; Doroethie LaShawn Hicks, Executive

RESOLUTION NUMBER 6019-19

A Resolution Authorizing The Mayor To Enter Into An Agreement With The Alabama Department Of Transportation

RESOLUTION NUMBER 6026-19

A Resolution Authorizing The Mayor To Enter Into An Agreement With Alliant Insurance Services, Inc.

RESOLUTION NUMBER 6027-19

A Resolution Authorizing The Mayor To Enter Into An Agreement With Allianz Global Corporate And Specialty Insurance Company

RESOLUTION NUMBER 6028-19

A Resolution Authorizing The Mayor To Enter Into An Agreement With Hartford Insurance Company

RESOLUTION 6030-19

A Resolution Authorizing Birmingham Water Works To Install A Fire Hydrant

Payment of Bills

Mr. Posey made the motion to approve all consent items with a second by Mr. Greene.

Mr. Smith called for the question with a voice vote on all consent items and the motion carried adopting all the consent items.

REGULAR AGENDA

RESOLUTION NUMBER 6020-19

Public Hearing- A Resolution Declaring A Weed And Other Vegetation Nuisance And Directing The Abatement Of Said Nuisance Pursuant To Alabama Law

Mr. Rod Evans read the resolution.

Mr. Smith asked Mrs. Dickerson was it necessary to have the public hearing.

A motion to approve Resolution Number 6020-19 was made by Mr. Posey and seconded by Mr. Greene.

Mr. Smith asked if there were any adjustments.

Mr. Macke said there were no adjustments and were the only two properties listed in the resolution.

Mr. Smith closed the public hearing.

Mr. Smith called for any comments of the audience or Council. There being none the motion carried.

RESOLUTION NUMBER 6021-19

Public Hearing- A Resolution Authorizing The Abatement Of A Public Nuisance And Ordering The Demolition And Removal Of Said Unsafe Building Or Structure Located At 1432 Shades Crest Road, Hoover, Alabama 35226

Mr. Smith opened the public hearing.

Mr. Smith called for any comments of the audience or Council.

Mr. Joseph Garrett said he spoke with a gentleman last Thursday and his personal situation has not changed since the other meeting. Mr. Garrett said they are working with the mortgage company and they are trying to find a resolution to this and he reached out to them to express his concern and his suggestion was that they come to the meeting and voice their opinion on the issue.

Mr. Smith asked were they a local company.

Mr. Garrett said no they are based out of North Carolina.

Mr. Smith asked Mr. Garrett is he looking for them to foreclose on the property.

Mr. Garrett said they had been seeking to be removed from foreclosure but were denied but they are currently appealing this process.

Mr. Smith said to Mr. Wyatt that he knows his department has made the determination by all legal boundaries that this is a public safety hazard.

Mr. Wyatt said this is correct and the property is a public safety hazard and nuisance and a tragic nuisance to children and a hazard to firefighters if they were to enter the building.

Mr. Smith said the cost is around \$28,000.

Mr. Wyatt said \$28,500 was the lowest proposal.

Mr. Smith said this is an interesting situation and the first time in history the City will go after the demolition of a single family dwelling which is very unfortunate. Mr. Smith said the City has to weigh the cost of \$28,000 that the City will never get back because when the house is gone, the mortgage is still owed and the mortgage will be worth more than the dirt and the City's lien would come after that so the likelihood is that this will never be regained so the City is looking strictly at the issue of public safety at this point.

Mr. Greene asked Mr. Wyatt about the properties surrounding this residence too, is there also a danger that these properties could be damaged.

Mr. Wyatt said the Garrett's did have a geotechnical engineer and structural engineer. Mr. Wyatt said he talked to geotechnical engineer and he asked that question and he responded that there is a possibility that this could start affecting the adjacent property and possibly move toward the right of way so taking that load off the soil at this point in time should help alleviate this problem.

Mr. Greene asked about Shades Crest Road.

Mr. Wyatt said this is the right of way he is referring to.

Mr. Smith said after the demolition of this property could this cause other houses on each side to start to come apart as well.

Mr. Wyatt said after discussing with the geotechnical engineer and the contractor who has a lot of experience, there is no guarantee that they don't envision that at all during this point in time.

Mr. Greene said as far as any damage to the adjacent properties, the contractor is licensed bonded and insured.

Mr. Wyatt replied yes he is licensed, bonded, and insured and has been in business 30 years.

Ms. Leslie Gallow at 704 Savannah Place and she actually passes this property almost every day walking her dog and was curious as to what exactly happened to this property because it almost seems as if there is more of this on Shades Crest Road and there is another house about two doors down that looks as if it has fell into the mountain and that property has been for sale for years and there are a lot of for sale signs there and she wondered who would want to build on that. Ms. Gallow wanted to know if the City would allow this property on Shades Crest Road to be developed again or would the City say no.

Mr. Wyatt said the Garrett's Engineer said to stabilize it in its current state because it would cost more than the house is valued.

Mr. Posey said the question she was asking is can you rebuild on this lot.

Mr. Wyatt said yes can rebuild and you would have to have the proper Geotechnical and Structural Engineer design to stabilize the rock.

Ms. Gallow feels it is wasteful for the City of Hoover to have to pay to tear this house down and it almost seems like a contractor issue or whoever put the house there.

Mr. Posey said it almost seems like a contractor issue to begin with.

Mr. Smith said the house has been there and this particular owner did not build this house.

Mr. Shaw asked Mr. Garrett if he had an engineer inspect the property before he bought it.

Mr. Garrett replied yes. Mr. Garrett said they purchased the home in December of 2017 and prior to that the house had been sold two to three years ago and there was an inspection of the home done and there was no indication in that report that they were at risk and they were there for a year and nothing changed and in January when he walked outside he saw this happening.

Mr. Shaw said the tragedy here is no vote they can take tonight will bring the house back and regardless of what they do tonight it is a tragedy. Mr. Shaw wanted to know what liability the City will be taking on by doing this aside from the issue of public safety.

Mr. Evans said unfortunately, the City has to start here. Mr. Evans talked about the state code 11-53-1 that allows this action to take place. Mr. Evans said this statute gives the Building Official the authority to go out and view that property and to view that area to determine if further action needs to take place and the liability the scope of what that cost will be brought before the Council to decide at that time. Mr. Evans said as long as the notice provisions are taken and notice was properly given to the owner as well as to the mortgage company as well as to the tax assessor so that they knew what was going on with the property and have the opportunity to come before the Council there are very few cases that indicate liability towards the City after the fact.

Mr. Posey asked when the conversations started with the City.

Mr. Garrett said January 5th was when they first discovered the problem and didn't know the extent of the damage and then they started looking at Geotechnical and Structural Engineers at this point to see what they could do.

Mr. Posey asked if this area is closer to Berry Road than to Ross Bridge.

Mr. Garrett said yes Berry Road runs below them.

Mr. Posey asked Mr. Wyatt about the actions that the City is taking today will it help the mortgage company by the City tearing it down and will it help the Garrett's resolution on the financial side of things.

Mr. Wyatt said unfortunately this is common practice to condemn properties and mortgage companies are typically not responsible.

Mr. Posey said since this is happening so far back is there a process that one of the committees within our group can get together and talk about something like that so they will know this is coming down the line.

Mr. Wyatt said there is a required notice process of 45 days by the state and in the future he will keep everyone informed about anything like this facing the City.

Mr. Smith asked Mr. Wyatt is there any value for his office or legal staff to send the letters to houses on each site to recommend the possibility that they get a home inspection.

Mr. Wyatt referred the question to the attorney.

Mr. Evans said if the Council was to grant this then they could alert the contractor to let them know what work is taking place and that conversation would go through the City personnel if there are complaints.

Dr. Middlebrooks commented about the house being a public safety issue and if someone goes into this structure and is hurt or killed that would be a lawsuit and as Mr. Wyatt said it is common practice in other municipalities for this to occur and he does think it will be prudent to the City to look into a steep slope ordinance for future development on that slope and there is nothing that can be done about the houses that are there now but future development along the slope can be benefited with an ordinance.

Mr. Paul Braswell at 1308 Calde Drive said he has had personal experience with that house because it is the house he grew up in and it was sold to Vulcan Materials and they didn't want the house they just wanted the land so the house was used as a training ground and instead of spending the \$28,000 for demolition, why not use the house as a training ground for the Fire Department or maybe multiple Fire Departments.

Mr. Smith said the Chief has already gone on record and said he would not put anyone inside that house whether it caught fire or not.

Mr. Smith closed the public hearing.

Mr. Evans read the resolution.

A motion to approve Resolution 6021-19 was then made by Mr. Posey and seconded by Mr. Greene.

Mr. Smith called for any comments of the audience or Council. There being none the motion carried.

RESOLUTION NUMBER 6022-19

A Resolution Amending The Budget For The Fiscal Year Ending September 30, 2019.

Mr. Evans read the resolution.

A motion to approve Resolution 6022-19 was then made by Mr. Posey and seconded by Mr. Greene.

Mr. Smith said this creates the moving of funds for the funding for the work needed in the demolition of that said property.

Mr. Smith asked where these funds are being appropriated from.

Mr. Rice said they are general funds.

Mr. Smith called for any comments of the audience or Council. There being none the motion carried.

RESOLUTION NUMBER 6006-19

Public Hearing- Conditional Use Approval- 4273 and 4289 South Shades Crest Road; John Whitson, Representing; Conditional Use Approval For A Shopping Center (Subject To Annexation Into The City Limits Of Hoover).

Mr. Evans read the resolution.

A motion to approve Resolution Number 6006-19 was made by Mr. Shaw and seconded by Mr. Greene.

Mr. Smith said this is the shopping center that will be down at South Shades Crest and County Road 52.

Mr. Smith opened the public hearing.

Mr. Smith called for any comments regarding the conditional use. There being none, Mr. Smith closed the public hearing.

Dr. Middlebrooks commented that if approved, he thinks the shopping center will eventually be great for the area and a grocery store would benefit but he does not feel there is not enough infrastructure there currently in this area to support the shopping center. Dr. Middlebrooks said his vote is Nay for this resolution.

Mr. Smith asked if the County has come to any agreement on additional infrastructure.

Mr. Kyle Johnson at 3603 Erica Way Birmingham said they are working with the County to develop plans and they plan to install roadway improvements in coordination with their project.

Mr. Posey asked if they are working with the timeline to get this project online

Mr. Johnson said they have multiple meetings with the County Transportation Engineers and they are working their infrastructure improvements with theirs to get that completed.

Mr. Smith called for any comments of the audience or Council. On voice vote Mr. Shaw, Mr. Posey, Mr. Smith voted Yea. Mr. Greene and Dr. Middlebrooks voted Nay. The motion carried.

ORDINANCE NUMBER 19-2434

Public Hearing- Rezoning- 3432 Old Columbiana Road; Rezone from Hoover C-P (Preferred Commercial Office District) to Hoover C-1 (Neighborhood Shopping District); Zac Lovoy, Owner.

Mr. Evans read the ordinance.

Mr. Smith opened the public hearing.

Mr. Smith called for any comments from the audience.

Mr. Zac Lovoy at 3432 Old Columbiana Road said he is the owner of the property and he is selling it hopefully to Kitty Kat Haven and they are the ones requesting the conditional use. Mr. Lovoy said he is requesting to move to C-1 so they can get the variance.

Mr. Lovoy said the City is waiting on a cross parking agreement from him which he has done and he has since sent it to the City for approval before he can get it recorded and he is waiting on legal for that.

Ms. Rita Bowman, director of Kitty Kat Haven and she lives in Helena. Ms. Bowman said they are hoping to acquire this property so that they can have a much larger facility than what they currently have now. Ms. Bowman said they are a no-kill, no cage facility for cats. Since October 2016 they have adopted out over 1500 cats and kittens.

Mr. Smith closed the public hearing.

A motion to adopt Ordinance Number 19-2434 was then made by Mr. Shaw and seconded by Mr. Greene.

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

Dr. Middlebrooks- Yes

Mr. Greene- Yes

Mr. Posey- Yes

Mr. Smith- Yes

Mr. Shaw- Yes

Motion carried.

RESOLUTION NUMBER 6007-19

Public Hearing- Conditional Use Approval- 3432 Old Columbiana Road; Zac Lovoy, Representing; Conditional Use Approval To Permit The Operation Of An Indoor Facility For Animals.

Mr. Evans read the resolution.

Mr. Smith opened the public hearing.

Mr. Smith called for any comments from the audience. There being none, Mr. Smith closed the public hearing.

A motion to approve Resolution Number 6007-19 was then made by Mr. Shaw and seconded by Mr. Greene.

Mr. Smith called for any comments of the audience or Council. There being none the motion carried.

ORDINANCE NUMBER 19-2435

Public Hearing- 2nd Amendment To The Blackridge Planned Unit Development (PUD); Richard A. Johnson, II, Representing Blackridge Partners, LLC And Riverwood Holdings, LLC; Approval Of The 2nd Amendment To The Blackridge Planned Unit Development (PUD).

Mr. Evans read the ordinance.

Mr. Smith opened the public hearing.

Mr. Smith called for any comments from the audience.

Mr. Richard Johnson, II, 3545 Market Street, representing Blackridge Partners, LLC and Riverwood Holdings, LLC said they are transferring 155 units to the North and zoning and requesting annexation of 24 acres.

Mr. Allan Terry at 636 Trace Crossings Trail and he wanted to know how this issue relates to the next one on the agenda that is next because he only received one notice that seems that it is for the next issue.

Mr. Smith asked Mrs. Dickerson about the notices.

Mr. Shaw said there could be a difference in coverage and he may live closer to one area and not the other.

Mrs. Dickerson agreed and said the property owners within 500 feet according to the Tax Assessor were notified.

Mr. Posey said to Mr. Terry he was asking how they are related and that would be the transfer of units.

Mr. Terry asked was it a transfer of the units from Blackridge. If so, this is very close to the high school and he lives on the other side of the high school and he does not know if he is within 500 feet from the property. Mr. Terry said he does not see any explanation until he receives from the developers as to why they want to make this change. Mr. Terry said the developers have found that they can build and sell the more modest homes somewhat to what is in Lake Wilborn far faster than they can sell the more expensive homes in Blackridge. Mr. Terry said the developers know that the current strong economy can't last forever so they would like to strike while the market is hot. Mr. Terry said the developers know as these houses get occupied more and more prospective buyers will realize just how bad the traffic is becoming. Mr. Terry said the developers know that as the traffic problems and as more citizens complain it will be harder to get approvals for such things from the City. Mr. Terry said traffic jams from this uncontrollable development are substantial and

traffic backup on Highway 150 will become intolerable. Mr. Terry said specifically on this site that they are proposing to build on near the high school; it will generate more houses that will create traffic problems for the high school, for the middle school, and for the Trace Crossings Elementary. Mr. Terry said he cannot imagine that the City school system will be very happy with adding additional traffic on Buccaneer Drive where you have sixteen and seventeen year old drivers and you have walkers going over to the baseball fields. Mr. Terry said what about the impact all these families are going to create. Mr. Terry said to the Council if they allow these houses to be built near the high school then they are creating a worse situation than what exists if the houses were built in Blackridge. Mr. Terry said he suggests to the Council to vote no on this requested amendment and suggest that the City get the developers to help work out a plan to build a new access road over to the interstate.

Mr. Keith Marks at 4061 South Shades Crest Road said he received a letter in the mail and he is within 500 feet of the Riverwoods portion. Mr. Marks wanted to make sure that Riverwoods area would only be getting six homes in this location and not a road cut thru back to Blackridge.

Mr. Johnson said the property in Blackridge that they are moving the units from is a medium density area and working with the City on the long range comprehensive plan, they elected to donate the property to the City in excess of 150 acres and as a result of that donation that was the catalyst for moving the 155 units to Flemming Farms and now mark it as Green Trails and there are no additional units. Mr. Johnson said all the units contained in both PUDs have been established since the Western Pocahontas annexation in 1993 and they reduced the overall count by about 2300 units at that time. Mr. Johnson said it went from Western Pocahontas to Riverwoods during the time they presented to the Planning and Zoning until today that Riverwoods property has sold. Mr. Johnson said the Riverwoods property to the South is theirs now. Mr. Johnson said initially the traffic was programmed into Mr. Skipper's report that they presented both with Blackridge and with the 11th Amendment of Trace Crossings PUD and all the traffic was accounted for in this project.

Mr. Smith asked what will be the lot width of the 155 units at their new site.

Mr. Johnson said they are R 1 and they will comply with current regulations Article 12, nothing less than 60 feet.

Mr. Smith mentioned that the 150 acres does not include the 70 acres for the mountain bike.

Mr. Johnson said no. Mr. Johnson said the overall donation of Blackridge is in excess of 150 acres to be donated to the City for City use. The park property, they were proposing to donate both the Mountain Bike Park and Cahaba.

Mr. Smith asked Mr. Johnson how many acres will be given to the City in total from the Met all the way to Hwy 52 for various reasons.

Mr. Johnson said in excess of 450 acres that includes the property already given for the sports park. There are approximately 300 acres that go with the Trace Crossings Amendment 11-15 then the additional 150 acres.

Mr. Marks pointed out on the letter he received the second to last bullet point that talks about the 12 estate lots in the Riverwoods portion of this project, six that will access South Shades Crest Road and the other six that will access County Road 93. He is trying to find out and make sure there is not going to be a road that is just a little cul-de-sac as coming off South Shades Crest and not an exit to a neighborhood.

Mr. Johnson said in response to Mr. Marks' comment, there is a section to the North of Blackridge's main property and originally there was an extension that six lots were going to be constructed, single family residential R-1 lots coming off of South Shades Crest. Mr. Johnson said they have now opened this estate area up and committed to no more than six access points to Shades Crest Road and the remainder will come to 93 or may come through them. Mr. Johnson said there were only six access points are limited to South Shades Crest Road and none were through the existing subdivision.

Dr. Middlebrooks asked is there any intent on the 150 acres besides the park land on use.

Mr. Rice said right now there is no specific intent yet but they are viewing it as a way of getting a road that will take some of the pressure off of Morgan Road, Stadium Trace, and Hwy 52 so there is a parkway concept that was referenced in engineering terms but there is a lot of engineering that would have to take place. Mr. Rice said in the comp plan, this is a key piece of property and we won't be able to construct that additional access road without this piece of property so Signature was willing to hear this and they found a point of view to a benefit if they are able to relocate these lots into Green Trails which benefits them and also vacates this piece of property and without that piece of property, the City will never be able to do this additional road which is part of the traffic relief in that part of the City.

Mr. Shaw said that is really the centerpiece of this plan in addition to the parks and donated land is the additional area for a road. Mr. Shaw said the roads are not necessarily planned yet but they know any of the options that they look at, the City needs this land to be able to do this and so this comes straight out of the comprehensive plan in process and the reason the houses are moved is to make room for the potential additional access road that will be needed.

Mr. Rice agreed and said the road is needed and in the future if that were to not happen, there would be a few minor restrictions on the property and basically would prevent it from any other kind of use that would disrupt the homes that are already in Blackridge but it would still be very usable public space and could be developed into public recreation space.

Mr. Schultz asked during the annexation of the property across from Shoal Creek that Signature Homes was going to build, one of the arguments for not increasing the number of students was the lot size, the houses were going to be so big and historically the argument by Mr. Lyda at that time was the bigger the home the fewer the students and tonight Mr.

Smith said that the smaller the lot size would result in fewer the students because they couldn't have a large family which contradicts what Mr. Lyda previously said and as he understands the price of the home directly impacts it or gives an estimate on the number of students so he is asking if the houses that are going to be moved are they going to be lower in price therefore increasing the number of students. Mr. Schultz said Dr. Murphy had been consulted but it did not indicate that Dr. Murphy had been consulted during this move and he wanted to know if Dr. Murphy had been consulted. Mr. Schultz wanted to know would the donation of land still go through if this is not approved.

Mr. Smith said on Mr. Schultz last question, that would probably prohibit because of the layout of the dwellings prior and Dr. Murphy is aware of the total number of units.

Mr. Johnson said Dr. Murphy has actually been informed of this transfer.

Mr. Shaw said during Planning and Zoning meetings, he is often in contact with representative here and he can say most of what is discussed is they don't ever talk about the lot size but they have kind of a set number of students per house that they plan based on aggregate numbers that is part of their study they did but that typically is what the discussion is and it is not based on lot sizes.

Mr. Johnson told the Council that these units are being transferred from a medium density area in Blackridge and they comply with the same Article 12 requirements that they will comply with when they are transferred to in Flemming.

Mr. Smith said the only thing left that Mr. Schultz was asking is how many students are going to come from the 155 versus Blackridge.

Mr. Johnson said the same amount of students is how the school board would calculate it.

Mr. Rice said the City uses the same divisor as the school system and it is not based on square footage of the house. Mr. Rice said they have discovered that the comp plan process that there are probably several missed numbers about where students are coming from in Hoover but the reality is the increase in the school system is coming from the turning of the existing housing market and they now have the data to demonstrate this.

Mr. Greene asked about the fire station in this area and asked Chief Bentley to give an update.

Chief Bentley said last week they were going through the accreditation process and with this accreditation process, part of what you participated in the other day is standards of cover community risk assessment and strategic planning and he hopes by October that they will have a specific site selected for the fire station. Chief Bentley said they feel it needs to be in the Stadium Trace Parkway in the area of the amenities building up to the Hoover Met. Chief Bentley said part of why they are waiting is they want to make sure that all the data they have collected and everything they have looked for in the future points to that location. Chief Bentley said in the meantime, they have had three meetings with Signature Homes on selecting the needs for their fire station and the Public Safety Center and trying

to get some rough diagrams and sketches so that when the fire station site is selected they can move forward without delay.

Mr. Greene asked once this site is selected, what is the estimated time to build the fire station.

Chief Bentley said it could take up to a year.

Mr. Greene said that area is growing and he was just concerned about getting some increased fire protection for that area.

Chief Bentley said they did some work on the emergency access road for Hoover 6 and Truck 11 which actually is 2.2 miles from Station 6 to the railroad crossing on the first bridge going into Blackridge so they alleviated some stress there and they can use that road frequently so that has helped in lieu of a temporary fire station. Chief said the project is moving slow but they are collecting data so they can do the right thing.

Mr. Stan Doran at Hansberry Lane in Pelham wanted to say thank you for this proposed greenspace and he teaches science at Bumpus Middle School and has coached cross country, track, and golf and have gone from about 60 children running for him to about 110. Mr. Doran said this area that is already available to run on keeps his kids off the streets and he wanted to say thank you to the Council for even considering a park down on the Cahaba River that connects to the high school. Mr. Doran feels the mountain bike park is phenomenal.

Mr. John Parker at 1699 Old Parkland said he was present a couple years ago talking about the traffic on South Shades Crest. Mr. Parker said it was about three years ago where it was a parking lot in the morning and a parking lot on the way home. Mr. Parker said not to friendly for the quality of life as to who wants to leave their home at 6:30 or 7:00 in the morning just to drive their kid 5 or 6 miles to get them to school on time especially in the last 13 years, the bus stop to pick up these kids is getting earlier and earlier and now there are six more lanes of traffic going into South Shades Crest. Mr. Parker said apparently no one here travels that road in the morning or on the way home so they need to pay attention. Mr. Parker said from Hwy 150 to the back of South Shades Crest in the morning down Morgan Road all the way to the intermediate school, that traffic is a one lane road and there are all the veins coming into the main road and now you want to put more cars on that mess.

Mr. Smith asked was this South Shades Crest or Stadium Trace Road.

Mr. Parker said it is South Shades Crest and Morgan Road. Mr. Parker said the City couldn't do it on Trace Crossings so now is the City going to take it on a different route and put them onto Morgan Road so the City can send them this way just to send them back that way. Mr. Parker said he experienced about four months ago a fender bender heading home on South Shades Crest towards Morgan Road, so when he got to 150 off of 459 it took him one hour to travel 5.2 miles and when you add more traffic the percentages of accidents or

fender benders are going to go up. Mr. Parker said forget it in the morning when there is one because there is nowhere for the cars to go but then there is talk about where Shelby County is going to widen from South Shades Crest to 459. Mr. Parker said he has heard this for 13 years and when he goes down there he asked them what are going to do with it. Mr. Parker said one guy said it will probably be another 10 or 20 years because they have to move a railroad to crossing railroad tracks and that doesn't happen overnight so to say the traffic is going to go up Morgan Road to 459 to take off of the pressure from South Shades Crest, it is not going to happen anytime soon.

Mr. Smith asked Tim Westhoven if the County has already done contracts for this to open bids.

Mr. Westhoven answered yes.

Mr. Smith said there is already talk to widen Morgan Road.

Mr. Smith closed the public hearing.

A motion to adopt Ordinance Number 19-2435 was then made by Mr. Shaw and seconded by Mr. Greene.

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

Dr. Middlebrooks- Yes

Mr. Greene- Yes

Mr. Posey- Yes

Mr. Smith- Yes

Mr. Shaw- Yes

Motion carried.

ORDINANCE NUMBER 19-2436

Public Hearing- 15th Amendment To The Trace Crossing Planned Unit Development (PUD); Richard A. Johnson, II, Representing SB Dev. Corp. And P.R. Wilborn, LLC Approval Of The 15th Amendment To The Trace Crossings (PUD).

Mr. Evans read the ordinance.

Mr. Johnson representing Lake Wilborn Partners, 3545 Market Street, said the purpose of this 15th Amendment is to locate the 155 units moved from Blackridge. This will improve Mountain Bike Park and 125 acres of improved property along the Cahaba River.

Mr. Smith opened the public hearing.

Mr. Posey asked if the children that are in the Green Trails Subdivision will go to school at South Shades Crest Elementary.

Mr. Johnson said yes but right now they go to Trace Crossings.

Mr. Smith closed the public hearing.

A motion to adopt Ordinance 19-2436 was then made by Mr. Shaw and seconded by Mr. Greene.

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

Dr. Middlebrooks- Yes

Mr. Greene- Yes

Mr. Posey- Yes

Mr. Smith- Yes

Mr. Shaw- Yes

Motion carried

ORDINANCE NUMBER 19-2437

Public Hearing- An Ordinance Amending Chapter 7-22 Of The Fire Prevention And Protection Code.

Mr. Evans read the ordinance.

Chief Bentley said there are three articles they would like to have changed from the 2015 adoption of the International Fire Code. Chief Bentley said the first one is basically the current code states today that you can reduce the required fire flow for a building to a thousand gpm (gallons per minute) per minute and it also says if you go to sprinkle you can reduce that overall by 75%. Chief Bentley said the old code stated the minimum gpm fire flow would be 1500 gpm which is what they are proposing and that the overall percentage could not drop below 50% or below 1500 total. Chief Bentley said the second article is dealing with the local alarm system that notifies the local tenants that when water is flowing through the sprinkler system for whatever reason, that local alarms sent to the water gong would notify the local patrons. Chief Bentley said a water gong is quite expensive to install and if it is on one end of the facility, local patrons on the other side may or may not hear that so they are proposing that a horn be put at each occupancy and it is a very simple fix so that everyone is notified that water is flowing. Chief Bentley said the third article is dealing with the fire alarm system and specifically with the silence button. Chief Bentley said when they respond to a fire alarm at an occupancy, they go to the panel to locate what is going on, and typically when the fire alarm goes off the occupant can press the silence button to stop the audible alarm and under the current code the audible alarm goes off and the visual or the strobe alarm goes off. Under the previous code, the audible alarm would be disengaged but the strobe would continue to flash which is what they are proposing to go back to.

Mr. Smith opened the public hearing.

Mr. Posey told Chief Bentley he appreciated him explaining what this meant.

Mr. Smith closed the public hearing.

A motion to adopt Ordinance Number 19-2437 was then made by Mr. Posey and seconded by Mr. Greene.

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

Dr. Middlebrooks- Yes

Mr. Greene- Yes

Mr. Posey- Yes

Mr. Smith- Yes

Mr. Shaw- Yes

Motion carried

RESOLUTION NUMBER 6025-19

A Resolution Accepting A Bid For Street Sweeping Services For The City Of Hoover, Alabama

Mr. Evans read the resolution.

Mr. Powell said the City's street sweeping services contract recently expired so bids were solicited according to state bid laws and there were two bidders and he is recommending reward to the lowest bidder who is the incumbent contractor Sweeping Corporation of America and the bid pricing is 7.8% lower than the last time this was bid.

A motion to approve Resolution Number 6025-19 was made by Mr. Posey and seconded by Mr. Greene.

Mr. Smith called for any comments of the audience or Council. There being none the motion carried.

1ST READ

ORDINANCE NUMBER 19-2438

Public Hearing-An Ordinance Authorizing The Transfer Of Real Property Of The City Of Hoover, Alabama, For Public Purposes To Jefferson County, Alabama.

Mr. Evans read the ordinance.

ORDINANCE NUMBER 19-2439

An Ordinance Authorizing The Lease Of Unneeded Municipal Real Property Of The City Of Hoover, Alabama.

Mr. Evans read the ordinance.

ORDINANCE NUMBER 19-2440

An Ordinance Authorizing the Lease Of Real Property Of The City Of Hoover, Alabama For Public Purposes To The Park And Recreation Board Of The City Of Hoover.

Mr. Evans read the ordinance.

ORDINANCE NUMBER 19-2441

An Ordinance To (1) Establish Chapter 6- Buildings And Buildings Regulations, Article III Entitled "Restrictions On Short-Term Rental Of Single-Family Residences" And (2) To Place Restrictions On Short-Term Rentals Of Single-Family Residences.

Mr. Evans read the ordinance.

Set Public Hearings For July 1, 2019

- 23. Resolution Number 6023-19-A** Resolution For The Abatement Of Public Nuisance Due To Weeds And/Or Grass.

- 24. Resolution Number 6024-19-** A Resolution For The Abatement Of Public Nuisance Due To Weeds And/Or Grass.

COMMENTS/QUESTIONS

Mr. Keith Marks said he has lived at 4061 South Shades Crest since 1997 and wanted to comment on Mr. Parker's comments. Mr. Marks said he can't get out of his driveway in the morning and he is 2.2 miles from Hwy 150 and he has to beg someone to let him on the street coming from the Helena/ Morgan Road area to get on South Shades Crest. Mr. Marks indicated to the Council that you do have to travel this road to see how bad it is and he came to make sure Riverwoods was not building some type of connector road. He feels the traffic off of 459 is going to make the traffic worse on South Shades Crest with everybody turning at the new grocery store that they are planning on building instead of going on up Morgan Road to get on the interstate it will be a lot easier to hit South Shades Crest at the new exit. Mr. Marks wanted to make the Council aware that the traffic on South Shades Crest was horrendous.

Mr. Smith said the anticipation is that it will take a lot of traffic off of South Shades Crest/150 intersection.

Mr. Smith said they are trying to lighten some of the traffic traveling in that area.

Mr. Shaw said this illustrates why the City needs to have a traffic overview plan for that area.

Mark Connoti from Trace Crossings Trail had a petition signed by the residents of Willow Trace Subdivision on Park Trace. Mr. Connoti gave copies of the letters to the Council, the Mayor, and the Council President Gene Smith. The petition was regarding discussion over the past few months regarding traffic problem congestion and some of the decisions that were made and proposed plans that were being discussed for rerouting traffic through subdivisions and other areas within the Trace Crossings area. Mr. Connoti said as to what has been previously discussed at this meeting by others is that we are building, we are building, and building and at staff Planning and Zoning meetings it is all about restructuring the current use of a property as opposed to planning future use. Mr. Connoti commented to Mr. Shaw that he said exactly what was needed but it was 10 years to late but it is also something that needs to be done very quickly.

Mr. Connoti said we are building homes and adding more traffic and more congestion with no plan to date to solve the problem. Mr. Connoti said there are ideas and concepts five years, ten years from now but nothing is in writing. Mr. Connoti said this petition is the residents of Willow Trace Subdivision which is about 95% of the people that say they are opposed to any type of road going through their subdivision which Mayor Brocato and some of the other Council have said they are against this but he has not heard this come from everybody yet. Mr. Connoti said right now they do not know what the Council will do but don't want to be blindsided by what is done. Mr. Connoti said the road congestion is getting worse and not better and there is not an immediate plan to fix it. Mr. Connoti said that Shades Crest will fix some of it but not all of the congestion that is on Stadium Trace Parkway. Mr. Connoti said it is not going to fix the traffic on Hwy 150 that backs up. Mr. Connoti feels there are other ways to bring revenue into the City other than just building.

Mr. Paul Braswell of Calde Drive in Hoover said he understands about the traffic because he has been living here a long time. Mr. Braswell said all the roads are busy and they do need some help but he wanted to ask one thing when Signature Homes is donating 150 acres to help build a road from Hwy 150 over to Hwy 52, is this not going to help some.

Mr. Smith said he does not know if this is going to become a road yet.

Mr. Braswell said this is an option where it will not come through Willow Trace or Cahaba. Mr. Braswell said it was mentioned that the road from 459 up to South Shades Crest was being built by Shelby County and that is not true, it is being built by Jefferson County and he has read that they have already started it so if there is a four to five lane highway coming from 459 all the way up to South Shades Crest Road then this has got to help with traffic.

Mr. Smith said they are also in conversations with Shelby County to take those improvements a little further out Hwy 52.

Mr. Braswell said he has already talked to Shelby County and they said that when Jefferson County gets started on their part of four to five lanes from 459 up to South Shades Crest then they will do their part from South Shades Crest into Helena.

After no further discussion, Mr. Smith said the meeting was adjourned at 7:50 p.m.

Gene Smith
Council President

Frank V. Brocato
Mayor

ATTESTED BY:

Wendy Dickerson
City Clerk