

CITY OF HOOVER

CITY COUNCIL

MINUTES

SEPTEMBER 3, 2019

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 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
John Lyda, Council Member
Curt Posey, Council Member
Mike Shaw, Council Member
Derrick Murphy, Council Member

Members Absent: Casey Middlebrooks, Council Member

Other Officials Present: Mayor Frank V. Brocato
Phillip Corley, City Attorney
April Danielson, City Attorney
Rod Evans, City Attorney
Allan Rice, City Administrator
Nick Derzis, Police Chief
Jehad Al-Dekka, Executive Officer, Police Department
Amanda Borden, Library Director
Jason Cope, Technology Director
Tommy Daniel, Public Works Director
Wendy Dickerson, City Clerk
Mike Lewis, Human Resources Director
Frank Lopez, Revenue and Taxation Director
Melinda Lopez, PhD, Chief Financial & Information Officer
Rod Long, City Engineer
Mac Martin, City Planner
Robert Macke, Zoning Inspector
Dustin Moore, Fleet Manager
Linda Moore, 911 Director
Melanie Posey, Public Information Officer
Tim Westhoven, Chief Operations Officer
Ellen Williams, Executive Assistant to Mayor Brocato
Chris Reeves, Assistant City Engineer
Ben Powell, Director of Purchasing
Greg Knighton, Economic Development Director

Mindy Wyatt, Applications Systems Specialist
Brent Parrot, Court Operations Coordinator

Mrs. Wendy Dickerson, City Clerk, led the invocation.

Scouts led the Pledge of Allegiance and were in attendance to work on the Citizenship in Community Merit Badge.

MINUTES

The minutes of the June 13, 2019, work session, June 17, 2019, regular meeting, and June 27, 2019, work session was presented for approval.

Motion: Motion to dispense with the reading of the minutes of the June 13, 2019, (Work Session), June 17, 2019, (Regular Meeting) and June 27, 2019, (Work Session) and approve them as presented was made by Mr. Lyda and second by Mr. Greene. Mr. Smith called for a voice vote and the motion carried, approving the minutes of the June 13, 2019, work session, the June 17, 2019, regular meeting, and the June 27, 2019, work session.

ANNOUNCEMENTS AND GUEST RECOGNITIONS

Mayor Brocato invited Mr. Craig Kelly, the School Board President, to come down front with him.

Mr. Kelly said when school was out last spring, Dr. Robbins and Mr. Giangrosso the principals at Berry Middle School and Spain Park, reached out to the Board with the need for a sidewalk. Mr. Kelly said they didn't have a sidewalk between Berry Middle School and Spain Park High School. This area is not only used for the children, it is also used for the public that walks between Veterans Park and Caldwell Mill Road. Mr. Kelly said thanks to the City, they now have sidewalks. It is a beautiful area and he want to thank everyone who was involved with this project, Mayor Brocato, City Council, Mr. Westhoven, Public Works, Mr. Rice, Signatures Homes, and Bama Concrete. Some of the trees were saved and hopefully they will continue to survive. Mr. Kelly thanked the City for volunteering to paint the turn area, the stop bars, crosswalks and for installing stop signs. This continues to show the relationship the City has with the school system and the Board of Education.

Mayor Brocato said to Mr. Kelly that he will continue to see that kind of cooperation through this administration. The Council, Mayor's Office, and all City employees consider everyone to be on the same team.

Mayor Brocato said there are two great organizations in the City that help the people who are in the most need in the City and they are Hoover Helps and Neighborhood Bridges. They are making a great impact on the children and school children. The City is proud to

be partners with both organizations and is proud by the way they serve the community. Two people that are very involved in these organizations are Chloe Bishop and John Cox.

Mr. John Cox is currently a senior and varsity baseball player at Hoover High School and served as an intern for the organization Hoover Helps this summer. Mr. Cox said being a part of Hoover High school and Hoover Helps has been a great experience. As a part of their commitment to keep the City informed, a brief update of 2018 and some key issues in 2019 are being provided. Hoover Helps is currently working with 16 organizations in Hoover that support the children backpack feeding programs. The donations represent over \$113,000.00 worth of food that goes directly to the Hoover children. At the end of the 2018 and 2019 school year, there were 494 children in Hoover receiving support in some way in the backpack program. Hoover Helps also supports the Hoover City Schools Meals in Motion food bus that delivered 14,399 summer meals this summer. This was almost double the amount delivered in 2018. Hoover Helps also helped facilitate other feeding projects outside of Hoover in places such as Hueytown, Fultondale and Birmingham. The last three summers Hoover Helps has worked closely with the Community Food Bank of Central Alabama to deliver large boxes of food and fresh produce to the families in need. Giving out the boxes of food and fresh produce is one of the best projects they have worked on this summer. In 2018, they were able to provide \$34,400.00 to support people in Hoover. Roughly, \$12,000 was donated to support summer feeding initiatives, about \$7,000 was donated to support other initiatives in Hoover and almost \$6,000 was donated for the current backpack feeding program to provide weekend food. Around \$5,000 was provided for families in crisis and about \$3,000 was donated to support feeding programs at both high schools. Finally, \$1,500 was donated to provide food to several Hoover food pantries. Hoover is a great place to live and a place that is kind and generous. Mr. Cox thanked the City for supporting Hoover Helps.

Ms. Chloe Bishop spoke about Neighborhood Bridges. Neighborhood Bridges was founded in Hoover on January 25th and since then Hoover has proven what a great place it is to live in. Neighborhood Bridges provides a gate way for kindness. It is a tool that Hoover City School Counselors and faculty use to post the needs of individual children. On Monday mornings at 9:02 a.m. people in the community receive those needs in their emails and needs are normally filled within minutes of being posted. Since February, there have been 161 needs posted in 209 days. There have been 256 donations that have been remitted to 974 Hoover children. There are now 927 subscribers that receive those weekly needs. Neighborhood Bridges has expanded into 10 communities in Ohio where it was founded and also six additional communities in Alabama. Ms. Bishop wanted to encourage everyone in Hoover to participate in acts of kindness by enrolling their emails at NeighborhoodBridges.org.

Mr. Smith thanked Mr. Cox and Ms. Bishop for doing an amazing job helping people that in positions where they can't help themselves.

Mr. Smith said there was a request from the Monte D'Oro Neighborhood Association.

Ms. Susanne Wright with Monte D'Oro Neighborhood Association thanked the Council for the attention to older neighborhood needs especially by providing a Building Inspections Department and zoning regulations. Ms. Wright said they have had supportive results from Robert Macke and Jim Wyatt but they need more assistance due to the geography of their historic community. Specifically, they need more weed and trash enforcement with two more properties which are 2829 and 2846 Wisteria Drive. Ms. Wright said that Mr. Macke is dealing with 2874 Wisteria Drive. 2900 Wisteria Drive has a street side collapsed fence due to overgrown weeds. Ms. Wright said that every day Quick Stop on Lorna and Wisteria continues to ignore property trash accumulation. 3033 Lorna Road structure and the Alabama Golf buildings have invasive bamboo knocking down two Monte D' Oro home fences and this vegetation encroachment threatens property of private citizens. Neighborhood representatives have spoken with 3033 property and every day Quick Stop and have been rebuffed. Monte D'Oro is constantly infringed upon by property surrounding them. Their homes have maintained property value and close communication by neighbors but they need further help. The City can count on the people of Monte D'Oro to help correct these unattractive situations in Hoover's first entry neighborhood.

Mr. Smith asked Mr. Rice and Mayor if they would see that staff will follow up on he is providing his copy to the Clerk to be included with the minutes.

Ms. Wright said the City needs more employees to work in this department.

Mr. Smith mentions she would need to take it up with the Mayor.

Mr. Smith recognized State Representative Louise Alexander, who was in the audience.

Mayor Brocato said about a year ago the City embarked on building the Explore Playground and Splash Pad and there is an average of over 20,000 visitors a month and 40% of those visitors were from outside Hoover. The survey also indicates that 13% of those visiting the park have special needs or disabilities. So when the City embarked on building this, they looked at it as not Hoover Park but something for the entire Metropolitan area. The City asked various organizations that they wanted to raise \$1 million dollars up to \$2 million dollars throughout the metro area such as private businesses, various charities, and various organizations donated, the Jefferson County Commission participated, and the State Senators and State Representatives donated the largest amount for this project. State Representative, Louise Alexander represents the Western part of Hoover which starts around Ross Bridge to Lake Cyrus.

Ms. Alexander said Hoover is a great City and the Mayor had talked with her and she had pledged \$25,000.00 over the term, so she is here tonight to present Hoover with their first \$5,000.00 check for her contribution. Ms. Alexander said they will be embarking on their new money at the end of this month so she is asking the Council to reach out to them and ask them for what they want.

CONSENT AGENDA

RESOLUTION NUMBER 6062-19

A Resolution Authorizing Advance Payment of Funds For Training

RESOLUTION NUMBER 6063-19

A Resolution Accepting Public Improvements Within The Right-Of-Way

RESOLUTION NUMBER 6064-19

A Resolution Accepting Public Improvements Within The Right-Of-Way

RESOLUTION 6065-19

A Resolution Authorizing The Mayor To Enter Into An Agreement With The International Association Of Chiefs Of Police To Develop A Police Sergeant And Police Lieutenant Promotional Assessment Center

RESOLUTION 6067-19

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

RESOLUTION 6068-19

A Resolution Re-Appointing Members To The Industrial Development Board

RESOLUTION NUMBER 6069-19

A Resolution Approving An Alcohol License, 5532 Grove Blvd, ESM Hospitality, LLC d/b/a Farrellys, Robert George McCluney, III, Executive

RESOLUTION NUMBER 6070-19

A Resolution Authorizing The Mayor To Enter Into An Agreement With Regions Bank For The Schedule Of Fees For The Hoover Investment Account

Payment of Bills

City Attorney Phillip Corley read all items.

Motion Mr. Lyda made the motion to approve the consent agenda items with a second by Mr. Greene.

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

REGULAR AGENDA

RESOLUTION NUMBER 6066-19

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

Mr. Corley read the Resolution.

Motion Mr. Lyda made a motion to approve Resolution Number 6066-19 with a second by Mr. Greene.

Mr. Robert Macke said this is the first hearing for this property and this is a house under construction and the builder has not been back at this residence for quite a while and it is overgrown.

Mr. Greene asked if the pictures of this property were taken today.

Mr. Macke replied yes.

Mr. Smith called for any comments of the audience or Council. There being no one to address the Council, Mr. Smith closed the floor for the public hearing.

Mr. Smith called for a question with a voice vote to approve Resolution Number 6066-19. The motion carried to approving Resolution Number 6066-19.

ORDINANCE NUMBER 19-2454

Annexation- Blackridge Annexation Parcel 2, Phase 2, Blackridge Partners, LLC, Owner

Mr. Corley read the Ordinance.

Motion Mr. Posey made a motion to adopt of Ordinance Number 19-2454 with a second by Mr. Greene.

Mr. Smith said this is the second of four parcels that have to be annexed in pieces because this is contiguous to property that resides in another city.

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

Mr. Greene – Yes

Mr. Lyda – Yes

Mr. Murphy-Yes

Mr. Posey – Yes

Mr. Shaw - Yes

Mr. Smith – Yes

Motion carried.

RESOLUTION NUMBER 6054-19

Public Hearing- A Resolution For The Abatement Of Public Nuisance Due To Weeds And/Or Grass

Mr. Corley read the Resolution.

Mr. Smith called for any comments of the audience or Council. There being no one to address the Council, Mr. Smith closed the floor for the public hearing.

Motion Mr. Lyda made a motion to approve Resolution Number 6054-19 with a second by Mr. Greene.

Mr. Macke said that this is the final hearing and the abatement will take place. Mr. Macke also mentioned that the one on Chapel Road has been cut and this will be the first time on Wisteria Drive. The owner made an attempt, but it is not up to his full satisfaction based on City ordinance. The one on Chapel Road is vacant and should be cut this week.

Mr. Murphy said they talked about at one point in time if this owner was a retiree or not capable and at one point there was some talk about some opportunities to aid out on this by putting a team together or some type of volunteers.

Mr. Macke said a director in his department has been in contact with the churches and he instructed him that if he found the situation where someone was in need they try to put the churches and that person together but in this situation this is not what has happened.

Mr. Smith called for any comments of the audience or Council. There being no one to address the Council, Mr. Smith closed the floor for the public hearing.

Mr. Smith called for the question with a voice vote and the motion carried adopting Resolution Number 6054-19.

FIRST READ

ORDINANCE NUMBER 19-2455

Annexation-Blackridge Annexation Parcel 3, Phase 3, Blackridge Partners, LLC, Owner

Mr. Corley read the Ordinance.

Mr. Smith said this is the third parcel of the four that has been discussed previously.

ORDINANCE NUMBER 19-2456

An Ordinance To Amend Chapter 2, Article I, Section 2-6 Of The Municipal Code Of The City Of Hoover, Alabama.

Mr. Corley read the ordinance.

Mr. Smith said this is the first reading and this has to do with the renovations of the Council Chambers and also allows these bodies to meet at the Senior Center during the time of any renovations.

Set Public Hearings For September 16, 2019

RESOLUTION NUMBER 6057-19

A Resolution Granting Conditional Use Approval To Allow For Use Of A Class A Climate Controlled Storage Facility To Be Located At 5281 Ross Bridge Parkway, Hoover, Alabama.

Mr. Corley read the resolution.

RESOLUTION NUMBER 6058-19

A Resolution Granting Conditional Use Approval To Locate A Restaurant/Brewpub With Indoor/Outdoor Recreation/Amusement At 1031 Brocks Gap Parkway, Suite 191, In The Brocks Gap Village Center And The Restaurant Concept Would Include Alcohol For On And Off-Premise Sales, And Recreation/Amusement To Consist Of Various Games And Activities.

Mr. Corley read the resolution.

Mr. Smith asked is the applicant present.

Mr. Allan Rice commented he was not sure the applicant was made aware that he should have been at the meeting tonight. He will check with the applicant.

RESOLUTION NUMBER 6057-19

A Resolution Granting Conditional Use Approval To Allow For Use Of A Class A Climate Controlled Storage Facility To Be Located At 5281 Ross Bridge Parkway, Hoover, Alabama.

Mayor Brocato states that the applicant for Resolution Number 6057-19 is present tonight and would like to give his presentation.

Mr. Smith said that if the applicant for Resolution Number 6057-19 has a presentation now would be an appropriate time.

Mr. Slade Blackwell, Rocky Road, Birmingham, Alabama, was present to give a short presentation. They are proposing to build a climate controlled class A facility here in Hoover. One thing about the site is it goes up 50 feet from the bottom all the way up to the top and is very hard to build on. They are spending a lot of money on this site improvement and dirt work. The site also lines up to the road and meets all parking requirements so there are no issues there. It meets all the setbacks. It does not create any traffic issues because it is a low traffic count area. He presented the landscape design. The fire lane is in the middle like the Fire Chief asked them to put in. When someone comes into the facility there is a fire lane for unloading and loading to get in and out. The entrances to the building are staggered so it will not cause any congestion and there are eleven points of access there. The landscaping also creates a buffer off Highway 150. The traffic count of cars coming into this facility is extremely low. They are only projecting about 3 or 6 vehicles per hour during business hours. They want to make sure they are going into a facility or an area that has the demands and 337,000 is the market demand of square footage that the public needs. Right now 197 is being utilized and the unmet need is 140. They are projecting to build an 80,000 square foot facility, so they are still under the need. They met with the Zoning Board and several members in the neighborhood to get their input. The color of the brick matches Ross Bridge's welcome center. The elevated tower elements and higher roof pitches are on both sides and the building in the back was to match the elements as well. The wood trusses along the roof line on both sides, is to match Ross Bridge as well. The corner elements where the glass is, they added that and the shingle roof on both sides of the facility as well. The lights on the building are down lights made to match what is there at Ross Bridge. There are no external storage doors, no fence around the property, and no gate to the facility so people can enter the building everywhere. There is 80% brick on the entire facility and the building signage is appropriate and meets code.

Mr. Smith asked if they are planning on renting moving vehicles off this site.

Mr. Blackwell said no.

RESOLUTION NUMBER 6057-19

Resolution Number 6059-19- A Resolution Granting Conditional Use Approval To Allow For A Shopping Center To Be Located At 5190 Medford Drive, Hoover, Alabama.

Mr. Corley read the resolution.

Mr. Smith asked was this Jubilee Joe's and commented that they have amazing red beans and rice.

Mr. Bill Wilson with Gonzalez-Strength and Associates, Woods Riverchase Drive, Suite 200, Hoover, Alabama 35244, was present representing Jubilee Joe's. They are going in The Shops of Hoover and this is the last lot in the Woods of Riverchase. They are planning on putting in one structure with parking in the front and on the side with a retaining wall that can be seen from I459. Jubilee Joe's will be at the front and will be the main portion that can be seen from Highway 150 and 459. The owners would like to have multiple tenants and do more than two and right now has plans for seven tenants. There are no tenants leased out at this time and it will be determined by the number of tenants that will want to come to this area. The owner just wants to have the opportunity to have more tenants.

Mr. Smith asked if the number of units would be determined by what square footage any one company might need.

Mr. Wilson answered that is correct it will go off of how much square footage each one will need. There is about 11,000 square feet total in the building.

Mr. Lyda asked if this is a site ready site and will there not be any dirt work going on up there because the lakes in Trace Crossings have been an unfortunate bystander of the Shops of Hoover. Mr. Lyda asked Mr. Wilson to go on record about what kind of earth work will have to take place at this site.

Mr. Wilson said this is a site where minor grading will have to take place to get the building pad in there and the parking lots in there. This lot has already been supplied with storm sewer that they will tie directly into. They will put in the proper B & B's and erosion controls measures required by the state. They will have to meet and pull permits with ADEM. They will protect it as they need to. This lot does flow into the retention pond that is already there and set up as master retention for this overall development.

Mr. Smith asked has he had conversation with the people that live around the small lake.

Mr. Wilson said they had not.

Mr. Smith suggested reaching out to them and having a neighborhood meeting and get

Mr. Martin to attend.

RESOLUTION NUMBER 6060-19

Resolution Number 6060-19- A Resolution Granting Conditional Use Approval To Amend The Site Plan For The Conditional Use Approval Granted In January 2019 For The Crossings Of Hoover, A Senior Living (Independent, Dependent, And Memory Care) Center

Mr. Corley read the resolution.

Mr. Mac Martin said the reasoning for this application is there had been a conditional use granted before for an assistant living facility at this location. There were some alterations to the site plan, altering the parking field to some extent and also altering the south wing of the proposed building from a one story memory care to three stories one floor memory care two floors assistive living. So this is an updated site plan for a conditional use.

Mr. Smith asked is there any questions for Mr. Martin.

Mr. Smith asked Mr. Martin to go back to Resolution Number 6058-19 with the conditional use of Brock's Gap Parkway which includes alcohol for on and off-premise sales to explain the off premise sale of alcohol.

Mr. Martin states it is his understanding based on the application that this is part of the Hops N Guac location that will have a full service restaurant with also a tap room component and according to the application the tap room component will be for on premise consumption along with a meal or just a glass for on premise and also it is his understanding that folks will be able to bring growlers and have those filled to take home with them so that is the extent of the on premise and off premise to his knowledge.

Mr. Smith asked if part of this is was to allow them to be able to have alcohol out in the parking lot for their games.

Mr. Martin said there will not be any alcohol consumption in the parking lot that he is aware of, but there is an intent to have a patio set up on the exterior building. They will have to comply with all the regulations ABC has for that. The live entertainment component of the original application was removed by the applicant at the Planning Commission meeting.

COMMENTS/QUESTIONS

- Mr. Arnold Singer said one thing he would like to see the Zoning Board and City Council give consideration to is the use of new shipping containers, 20 foot and 40 foot containers. Mr. Singer had pictures that he took in Halifax and also a copy of

their ordinance of what is allowed and what is not allowed including any containers in residential districts only in commercial or recreational districts.

Mr. Smith asked is this for storage of excess inventory for businesses.

Mr. Singer said no, this is to generate sales like jewelry, clothing, bicycles as well as a two story combination of 40 foot and 20 foot containers. This might be perfect for the spot over by the gateway on Highway 31 that the presentation was on the other night.

- Mr. Singer said he was listening to the budget presentation the other night and it helped him to understand what his personal top priority would be for Hoover to get involved with and that is based upon Hoover is blessed with an excellent municipal work force. Mr. Singer said he has seen and heard about the outstanding vehicle maintenance group that are doing an excellent job with the vehicles and are also receiving praise from Pelham for the quality of work and quick turn-around. The residents of Hoover deserve problem free service in their garbage, recycling and leaves. In his opinion, this can best be accomplished by doing the job ourselves. Hoover has the history of high quality and really caring employees at all levels and he suggests that the City have an internal committee.

Mr. Smith asked Mr. Singer if he lived in a condo and does Santek provide the dumpsters.

Mr. Singer said yes, but Santek does not supply the dumpsters.

Mr. Smith asked if the City pays for the condominiums complexes to have service.

Mr. Rice said in most cases, yes.

Mr. Smith asked Mr. Arnold to talk with Mr. Rice about the garbage service in his condominium. Mr. Smith told Mr. Singer to answer his question about a group to study this; the Mayor's proposed budget has \$75,000.00 to do just that.

Mr. Singer said he is looking at things a little bit differently; he would suggest starting with three very, very highly qualified people, Ben Powell, Robert Yeager and Dustin Moore. He thinks between the three of them, they could go consulting and they might have enough information to come up with a solution. That is the route the Council should consider.

- Mayor Brocato commented that the City has been working for several months on compiling data for going into the trash business ourselves. Now the City believes they have the information they need to be validated by an outside agency, so that is why it is being put into the budget.

- Mayor Brocato said this is food for fines month so if you give a food item at any public library, they will reduce your fine by \$1.00 up to \$10.00. All food items will go to Green Valley Baptist Church food bank.

There being no further discussion, the meeting was adjourned at 6:58 p.m.

Gene Smith
Council President

Frank V. Brocato
Mayor

ATTESTED BY:

Wendy Dickerson
City Clerk