

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: Tuesday, January 22, 2008
TIME: 6 P.M.
PLACE: Hoover Municipal Center
PRESENT: Mayor Tony Petelos
Mr. Gary Ivey, Council President
Dr. Trey Lott, Council Member
Ms. Mari Morrison, Council Member (Arrived at 6:12 p.m)
Mr. Mike Natter, Council Member
Mr. Brian Skelton, Council Member
Mr. Gene Smith, Council Member
Mr. Jack Wright, Council Member

ALSO PRESENT: Mr. Mark Boardman, City Attorney
Chief Tom Bradley, Fire Chief
Mr. Tommy Daniel, Director Public Works & Pk & Rec. Maint.
Chief Nick Derzis, Police Chief
Mrs. Karen Higgins, Director Human Resources
Mr. Bob House, House Consultants
Mr. Richard Johnson, Director, Inspection Services
Mr. Rod Long, City Engineer
Mr. Frank Lopez, Director Revenue & Taxation
Mr. Craig Moss, Director, Park and Recreation
Mr. Allen Pate, Executive Director
Mr. Ben Powell, Director of Support Services
Mr. Robert Yeager, Finance Director
Mr. Tim Westhoven, Asst., Executive Director

The meeting was called to order by the Council President, Mr. Ivey. The clerk had roll call and a quorum was present.

The clerk gave the invocation and Mr. Natter led those present in the Pledge of Allegiance.

1. **REPORTS**

Mr. Ivey recognized Scout Master Cal Alred and **Scout Troop No. 67** with Riverchase United Methodist Church. Each scout stated their name and rank. Mr. Ivey thanked the troop for attending.

Mr. Ivey recognized the Mayor. Mayor Petelos announced that the City of Hoover remains under **Stage II Drought** conditions.

Mr. Ivey recognized Chief Derzis. Chief Derzis, on behalf of the Police Department and the Hoover Explorers, expressed appreciation to the Mayor and Council for their continued financial support. He stated he was very proud of these young people. He felt that most people do not realize the time and commitment it takes to do what the Explorers do. He commended the two advisors, Officer Nelson and Officer Lewis, who spend a lot of time

working with the young people. He congratulated the Explorers on taking three first place trophies in the Alabama Law Enforcement Explorer Competition held on January 12, 2008. There were nine agencies from Alabama, Florida and Georgia represented in this competition, with 82 explorers participating.

Chief Derzis called Officer Nelson and Officer Lewis to the front to introduce the members of the Explorers who were present. He noted that Officer Nelson is a good example of exploring, as he started out as a police explorer before deciding to become a police officer. He is now a sergeant in the motor unit. There have been several young people who have come through the ranks and become police officers over the years.

Officer Nelson expressed his appreciation to the Mayor and Council for their support. He stated it was refreshing as a police officer to have the opportunity to work with a group of young people who are so positive. These young people have set goals for themselves and have a good understanding of discipline, team work and responsibility. He then introduced the following Explorers who were in attendance: **Vanessa Berry, Alex Gonzalez, Majid Islam, Justin Bowlin, Molly Higdon, Casey Goldschmidt, and Taylor Klein.** He expressed appreciation to these young people for their hard work and dedication. He stated they are truly setting the example in living by the morals of the Hoover Police Department, which are Honor, Pride, and Dignity.

While the Explorers remained standing, the city attorney read a **Proclamation** commending the **Hoover Police Explorers** for their outstanding performance at the competition, and thanking them for their hard work and dedication in their regular activities.

Mayor Petelos commended the Explorers and expressed to Chief Derzis the pride he had in these young people. He then presented the proclamation to Sgt. Nelson with copies to be distributed to the Explorers.

The City Attorney then read a **Proclamation** commending the **Spain Park High School Football Team** on their outstanding season, finishing as the runner-up in the Alabama 6-A Championship game held on December 8, 2007.

Mayor Petelos stated he wanted to have this proclamation read into the record at this meeting, as he plans to present it at the appropriate time to the Spain Park High School student body.

Mr. Ivey stated there was one more proclamation to be read. He recognized Mayor Petelos at this time.

Mayor Petelos called on Council Member Dr. Trey Lott for assistance at the podium.

The City Attorney read a **Proclamation** commending **J. D. Lott**, son of Dr. Trey Lott, for his participation as a member of the LSU Tiger Football Team, winners of the **2007 BCS National Championship.**

Mayor Petelos presented the proclamation to Dr. Lott at this time.

Dr. Lott was surprised by this presentation and proudly accepted the proclamation on behalf of his son, J. D. Lott.

2. **APPROVAL OF MINUTES**

Mr. Ivey stated each member of the Council had previously received a copy of the minutes of the January 7, 2008, meeting and the work session held on January 17, 2008.

Mr. Wright made a motion to dispense with the reading of these minutes and approve them as presented. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions; there were none. On voice vote the motion carried unanimously.

3. **RESOLUTION NO. 3992-07 – AUTHORIZE ADOPTION OF PERSONNEL REVIEW STUDY**

Mr. Ivey called for a motion to continue to the March 17, 2008 meeting.

Mr. Wright made a motion to continue Resolution No. 3992-07 to March 17, 2008. This motion was seconded by Mr. Skelton. Mr. Ivey called for any comments or questions; there were none. On voice vote the motion carried unanimously.

4. **RESOLUTION NO. 4014-08 – AWARD BID #46-07 – BALLISTIC VESTS**

The City attorney read Resolution No. 4014-08, which would award the bid for the purchase of police ballistic vests to **Law Enforcement Supply** in the amount of **\$1,315.00**, theirs being the lowest responsible bid meeting all specifications and requirements.

Mr. Wright made a motion to approve **Resolution No. 4014-08**. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions from the Council; there were none. On voice vote the motion carried unanimously.

5. **RESOLUTION NO. 4015-08 – AWARD BID #53-07 – GREYSTONE LEGACY FIRE STATION**

The City attorney read Resolution No. 4015-08, which would award the bid for the Greystone Legacy Fire Station to **Red Mountain Associates** in the amount of their base bid **\$1,237,750.00**, theirs being the lowest responsible bid meeting all specifications and requirements. In addition, this resolution would authorize the Mayor to execute a contract with Red Mountain Associates for the work to be performed.

Mr. Wright made a motion to approve **Resolution No. 4015-08**. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions from the Council; there were none. On voice vote the motion carried unanimously.

6. **RESOLUTION NO. 4016-08 – AWARD BID #59-07 – FRONT CUT MULTI-DECK REEL MOWER**

The City attorney read Resolution No. 4016-08, which would award the bid for a front cut multi-deck reel mower to **Jerry Pate Turf & Irrigation** in the amount of \$ **23,139.00**, theirs being the lowest bid received meeting all specifications.

Mr. Wright made a motion to approve **Resolution No. 4016-08**. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions from the Council; there were none. On voice vote the motion carried unanimously.

7. **RESOLUTION NO. 4017-08 – AWARD BID #60-07 – COMPACT UTILITY LOADER**

The City attorney read Resolution No. 4017-08, which would award the bid for a compact utility loader to **Vermeer Southeast** in the amount of \$**32,344.20**, theirs being the lowest bid received meeting all specifications.

Mr. Wright made a motion to approve **Resolution No. 4017-08**. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions from the Council; there were none. On voice vote the motion carried unanimously.

8. **RESOLUTION NO. 4018-08 – REJECT BID #61-07 – MEDIUM DUTY TRACTOR WITH ATTACHMENTS**

The City attorney read Resolution No. 4018-08, which would **reject** the bid of Cahaba Tractor Company in the amount of \$17,159.00, theirs being the only bid received; and authorize the Mayor to **negotiate with Cahaba Tractor Company** for the purchase of said equipment at a price not to exceed their quoted bid amount.

Mr. Wright made a motion to approve **Resolution No. 4018-08**. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions from the Council; there were none. On voice vote the motion carried unanimously.

9. **RESOLUTION NO. 4019-08 – AUTHORIZE MAYOR TO EXECUTE R.O.W. AGREEMENT WITH AL DOT – CHAPEL LANE EXTENSION**

The City attorney read Resolution No. 4019-08, which would authorize the Mayor to execute a right of way agreement with the Alabama Department of Transportation regarding the Chapel Lane Extension project.

Mr. Wright made a motion to approve **Resolution No. 4019-08**. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions from the Council; there were none. On voice vote the motion carried unanimously.

10. **RESOLUTION NO. 4020-08 – AUTHORIZE MAYOR TO EXECUTE UTILITY & CONSTRUCTION AGREEMENT WITH AL DOT – CHAPEL LANE EXTENSION**

The City attorney read Resolution No. 4020-08, which would authorize the Mayor to execute a utility and construction agreement with the Alabama Department of Transportation regarding the Chapel Lane Extension project.

Mr. Wright made a motion to approve **Resolution No. 4020-08**. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions from the Council.

Mr. Wright inquired as to the estimated completion date of this road. Mr. Westhoven stated the plan is to begin construction this year. It would be another two years before completion.

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

11. **RESOLUTION NO. 4021-08 – AUTHORIZE MAYOR TO EXECUTE AGREEMENT WITH CRITTER CONTROL OF BIRMINGHAM**

The City attorney read Resolution No. 4021-08, which would authorize the Mayor to execute an agreement with Critter Control of Birmingham.

Mr. Wright made a motion to approve **Resolution No. 4021-08**. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions from the Council; there were none. On voice vote the motion carried unanimously.

12. **RESOLUTION NO. 4022-08 – AUTHORIZE MAYOR TO EXECUTE AGREEMENT WITH FRANK L. NELSON – ATTORNEY SERVICES FOR INDIGENTS**

The City attorney read Resolution No. 4022-08, which would authorize the Mayor to execute an agreement with Frank L. Nelson, D.D.S.J.D., Professional Corporation for attorney services for indigents.

Mr. Wright made a motion to approve **Resolution No. 4022-08**. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions from the Council; there were none. On voice vote the motion carried unanimously.

13. **RESOLUTION NO. 4023-08 – AMEND 2008 BUDGET**

The City attorney read Resolution No. 4023-08 which would amend the budget for fiscal year ending September 30, 2008.

Mr. Wright made a motion to approve **Resolution No. 4023-08**. This motion was seconded by Mr. Lott.

Mr. Ivey called for any comments or questions; there being none, on voice vote the motion carried unanimously.

14. **APPROVAL OF TRANSFER OF ABC APPLICATION – BROTHERS FOOD & GAS, LLC, D/B/A RACEWAY #6825 – 1999 MONTGOMERY HWY.**

Mr. Ivey stated the Council had received a request to consider the transfer of the ABC application for Brothers Food & Gas, LLC doing business as Raceway #6825, located at 1999 Montgomery Highway. This license will allow for the off premise sale of retail beer and table wine at this location.

Mr. Ivey inquired if the necessary information was in order. The Clerk stated this information had been received and reviewed.

Mr. Natter then made a motion to approve the transfer of the ABC application for Brothers Food & Gas, LLC doing business as Raceway #6825, located at 1999 Montgomery Highway. This motion was seconded by Ms. Morrison.

Mr. Ivey called for any comments or questions; there being none, on voice vote the motion carried unanimously.

15. **APPROVAL OF TRANSFER OF ABC APPLICATION – TRIOVINO, INC., D/B/A WINE STYLES, 300 DOUG BAKER BLVD., SUITE 200**

Mr. Ivey stated the Council had received a request to consider the transfer of the ABC application for Triovino, Inc., d/b/a Wine Styles, located at 300 Doug Baker Boulevard, Suite 200. This license will allow for the sale of retail table wine on and off premise at this location.

Mr. Ivey inquired if the necessary information was in order. The Clerk stated this information had been received and reviewed.

Mr. Natter then made a motion to approve the transfer of the ABC application for Triovino, Inc., d/b/a Wine Styles, located at 300 Doug Baker Boulevard, Suite 200. This motion was seconded by Ms. Morrison.

Mr. Ivey called for any comments or questions; there being none, on voice vote the motion carried unanimously.

16. **PUBLIC HEARING – REZONE CHACE LAKE COUNTRY CLUB PROPERTY TO PUD ZONING – JONATHAN BELCHER**

Mr. Ivey stated this is the public hearing for the request of Mr. Jonathan Belcher to rezone recently annexed property known as Chace Lake Country Club from Jefferson County C-2 (Outdoor Amusement), Jefferson County CC-1 (Country Club), Shelby County A-1 Agriculture, Hoover PO Planned Office (Riverchase PUD) and Hoover PR-2 Planned Multi-family (Riverchase PUD) to Hoover PUD (Planned Unit Development). This property is owned by Chace Lake Country Club, Inc.

The City Attorney had the second reading of Ordinance No. 08-2161 to rezone the property to PUD Planned Unit Development.

Mr. Natter made a motion to adopt **Ordinance No. 08-2161**. This motion was seconded by Ms. Morrison.

Mr. Ivey called for comments from the City Council and there were none. He then called for comments from those present that wished to speak on this matter. There were none.

There being no discussion, Mr. Ivey called for a vote on the motion to approve. On roll call vote the votes of the Council were as follows: Mr. Ivey, "Yea", Dr. Lott, "Yea", Ms. Morrison, "Yea", Mr. Natter, "Yea", Mr. Skelton, "Yea", Mr. Smith, "Yea", and Mr. Wright, "Yea". The motion carried unanimously.

17. SET PUBLIC HEARING FOR MONDAY, FEBRUARY 18, 2008, AT 6 P.M.

Mr. Ivey stated a public hearing is hereby set for **Monday, February 18, 2008, at 6 p.m.** to consider the following request:

Bernard S. Tamburello is requesting **Conditional Use** approval to allow the sale of restaurant retail liquor at Bellinis to be located at **6801 Cahaba Valley Road**. This property is owned by Hawthorn Place, LLC and is zoned C-2 (Community Business District). (P&Z Item # 5 – C-01-08-01)

18. PAYMENT OF BILLS

Mr. Ivey stated the Council had been presented with a listing of the bills submitted for payment.

Mr. Wright stated the bills had been reviewed and he made a motion to approve. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments. There being none, on voice vote the motion carried unanimously.

Mr. Ivey called for any further comments or questions.

Ms. Morrison stated she would like the record to show that while she arrived at the meeting late, she was present prior to voting on all of the cases before the Council.

There being no further discussion, the meeting was adjourned.

Margie Handley
Assistant City Clerk