

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: January 5, 2009
TIME: 6 P.M.
PLACE: Hoover Municipal Center
PRESENT: Mayor Tony Petelos
Mr. Gary Ivey, Council President
Mr. John Greene, Council Member
Dr. Trey Lott, Council Member
Ms. Mari Morrison, Council Member
Mr. Jack Wright, Council Member

ABSENT: Mr. Brian Skelton, Council Member
Mr. Gene Smith, Council Member

ALSO PRESENT: Mr. Mark Boardman, City Attorney
Chief Tom Bradley, Fire Chief
Tommy Daniel, Director Public Works & Park 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 and Taxation
Mr. Allen Pate, Executive Director
Mr. Ben Powell, Director Support Services
Mr. Robert Yeager, Finance Director
Mr. Tim Westhoven, Asst. Executive Director

The meeting was called to order by the Council President Gary Ivey. The City Clerk had roll call and a quorum was present.

The City Clerk then gave the invocation. Councilman Greene led those present in the pledge of Allegiance.

1. **REPORTS**

Council President recognized Mayor Petelos.

Mayor Petelos stated that he had met with Fire Chief Tom Bradley last week and he had informed him that he would be retiring February 1, 2009. He then discussed the work history of Chief Bradley noting that he had started with Hoover in 1973.

He stated Chief Bradley started working with the Bessemer Fire Department in 1948. He then went to work with the City of Birmingham Fire Department in 1951. He retired from the City of Birmingham in 1973. He then worked in another area for a short period of time. He came to work with the City of Hoover Fire Department in

1976 when he took over our Fire Department which had been a small volunteer department.

Mayor Petelos stated the Hoover Fire Department is without a doubt the best in the State of Alabama. He stated we have grown from one fire station to nine stations and 170 fire department employees. He attributed the hard work of Chief Bradley for making this possible. He thanked Chief for his service and being such an inspiration to the City.

In 2008 Chief Bradley was recognized nationally by receiving his 60 year service pin. He noted there is only one other firefighter in the United States that has received this honor.

Chief Bradley stated he wanted to express his appreciation to the City of Hoover for the opportunity of serving as Fire Chief. He stated he has enjoyed his time with the City and thanked this Mayor and Council as well as the previous mayors and council members.

Council President Ivey recognized Councilman John Greene.

Mr. Greene stated he would like to make a motion to reappoint **Mr. Mike Krawcheck** to serve another four year term on the Hoover Library Board as well as appoint Mr. John Lyda to fill his unexpired term. He stated he had to resign that position upon his election to the City Council. This motion was seconded by Mr. Wright.

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

Mr. Lyda stated he would like to thank the Mayor and Council for this opportunity and he looked forward to serving.

Mr. Ivey stated the next Council meeting would be changed from Monday, January 19th to **Tuesday, January 20, 2009, 6:00 p.m.**, due to the Martin Luther King holiday.

2. **APPROVAL OF MINUTES**

Mr. Ivey stated each member of the Council had previously received a copy of the minutes of the December 15, 2008 Council meeting. The City Clerk stated she had prepared minutes of tonight's work session as well.

Mr. Wright made a motion that the minutes be approved as presented. This motion was seconded by Dr. Lott.

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

3. **RESOLUTION NO. 3992-08 – APPROVAL – PERSONNEL STUDY**

The City attorney read Resolution No. 3992-08 which would approve the personnel study which has been under consideration for some time.

Mr. Wright made a motion to approve Resolution No. 3992-08. This motion was seconded by Dr. Lott.

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

4. **2ND READING ORDINANCE NO. 08-2174 – GAS FRANCHISE ORDINANCE**

The City attorney had the second reading of Ordinance No. 08-2174 which would grant a franchise to the Alabama Gas Corporation for a period of 30 years.

Mr. Wright made a motion to adopt Ordinance No. 08-2174. This motion was seconded by Dr. Lott.

Mr. Ivey called for any comments or questions on this matter; there being none, he called for a roll call vote on the motion to adopt.

On roll call the votes of the Council were as follows: Mr. Ivey, “Yea”, Mr. Greene, “Yea”, Dr. Lott, “Yea”, Ms. Morrison, “Yea”, Mr. Wright, “Yea”. The motion carried unanimously.

5. **APPROVAL OF ABC TRANSER – TIENDA LA MEXICANA II – 1633 MONTGOMERY HIGHWAY**

Mr. Ivey stated the Council is not ready to consider this request at this time. He called for a motion to continue this request to the Tuesday, January 20, 2009 meeting.

Ms. Morrison made a motion that this request be continued to the January 20, 2009 meeting. This motion was seconded by Dr. Lott.

There being no discussion on voice vote the motion to continue carried unanimously.

6. **APPROVAL OF TRANSFER OF ABC APPLICATION – GALLERIA CHEVRON – 2963 HIGHWAY 150**

Mr. Ivey stated the Council had received a request to approve the transfer of the ABC application for the Galleria Chevron located at 2963 Highway 150. This will allow for the sale of off premise retail beer and wine at this location. The applicant is Mr. Rahim Budhwani.

Ms. Morrison made a motion to approve this request for transfer. This motion was seconded by Dr. Lott.

Mr. Ivey called for a vote on the motion to continue. On voice vote the motion carried unanimously.

7. **PUBLIC HEARING – PRINCE OF PEACE CATHOLIC CHURCH – AMEND CONDITIONAL USE SITE PLAN TO ALLOW ADDITIONAL PARKING SPACE**

Mr. Ivey stated a public hearing had been set for this date to consider the request of Mr. Jim Atkinson to amend the conditional use site plan for Prince of Peace Catholic Church located at 4600 Preserve Parkway to allow the expansion of the parking lot to allow an additional 46 parking spaces. This property is owned by Prince of Peace Catholic Church and is zoned R-1 (Single Family Residential District).

Ms. Morrison made a motion to approve this conditional use request to amend the site plan for Prince of Peace to allow an additional 46 parking spaces. This motion was seconded by Dr. Lott.

Mr. Ivey called for any comments from the Council; there were none. He then called for any comments from anyone present. There were no comments from the floor.

Mr. Ivey called for a vote on the motion. On voice vote the motion carried unanimously.

8. **PUBLIC HEARING – REZONE 10.99 ACRES RECENTLY ANNEXED – SE CORNER OF S. SHADES CREST RD. @ MORGAN RD. TO HOOVER C-2 (COMMUNITY BUSINESS DISTRICT) 2ND READING ORDINANCE NO. 08-2175.**

Mr. Ivey stated a public hearing had been set for this date to consider the request of Mr. J. Coleman Williams., P.E., representing Goodwyn, Mills & Cawood, Inc., to rezone 10.99 acres of recently annexed property located on the Southeast corner of South Shades Crest Road at Morgan Road from Jefferson County A-1 to Hoover C-2. This property is owned by Walgreen Co.

The City attorney had the second reading of Ordinance No. 08-2175.

Ms. Morrison made a motion to adopt Ordinance No. 08-2175. This motion was seconded by Dr. Lott.

Mr. Ivey called for any comments or questions from the Council; there were none. He then went to the floor for any comments from those present. There was no one present that wished to speak on this matter.

Mr. Ivey then called for a vote on the motion to adopt **Ordinance No. 08-2175**. On roll call vote the votes of the Council were as follows: Mr. Ivey, “Yea”, Mr. Greene, “Yea”, Dr. Lott, “Yea”, Ms. Morrison, “Yea”, Mr. Wright, and “Yea”. The motion carried unanimously.

9. **PUBLIC HEARING – AMEND CONDITIONS OF ZONING – TYLER CREST TOWNHOMES – REDUCE LIVABLE FLOOR AREA.**

Mr. Ivey stated a public hearing had been set for this date to consider the request of Mr. Taylor Burton to amend the conditions placed on the zoning of the Tyler Crest Townhomes. This development consists of 32 lots. This request would reduce the requirement for livable floor area.

Mr. House addressed those present. He stated Mr. Burton has requested to change the required floor area for a specific piece of property, the Tyler Crest Townhomes. He noted that when this property was zoned RT4 for 32 lots the Council placed a restriction for 1500 sq. ft. for a one story townhouse and 1900 sq. ft. for a two story townhouse. This is the same square footage requirement as in the R-1 Single Family detached housing. Subsequent to this being approved, the City adopted amendments to the RT4 district which allows 1250 sq. ft. for a one story townhouse and 1650 sq. ft. for a two story townhouse.

Mr. House stated the applicant is requesting that the conditions of this rezoning be changed to reflect the current regulations that are on the books which would be 1250 sq. ft. for one story and 1650 sq. ft. for a two story townhouse.

Dr. Lott asked if there was an advantage to the City to reduce this. Mr. House stated he felt this would put this development on an even playing field with their competition. He noted this development has also been available for construction for a year or more and only about 10 of the 32 units have been built. He stated the developer stated the reason for this was the houses were taking up too much of the lot. This would help to make the house the same size as what is permitted elsewhere which would help them and make the property more marketable and get it developed and improved.

Ms. Morrison asked if there would be any change in the number of townhomes allowed. Mr. House stated there would not be any change to the density of the development or any other aspect of the development other than the size of the dwelling.

Mr. Ivey called for any comments from the Council; there were none.

Mr. Morrison made a motion to approve this request to amend the conditions placed on the Tyler Crest Townhomes as stated by Mr. House. This motion was seconded by Mr. Wright.

Mr. Ivey called for any comments or questions from the floor; there were none.

Mr. Ivey called for a vote on the motion to approve. On voice vote the motion carried unanimously.

10. **PAYMENT OF BILLS**

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

Mr. Wright stated the bills had been reviewed and he made a motion they be approved for payment as presented. This motion was seconded by Dr. Lott.

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

Mr. Ivey called for any comments or questions from the Council and there were none.

Mr. Ivey called for any comments or questions from anyone present; there were none.

There being no further business to come before the Council, the meeting was adjourned.

Linda Crump
City Clerk