

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: February 16, 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. Brian Skelton, Council Member
Mr. Gene Smith, Council Member
Mr. Jack Wright, Council Member

ALSO PRESENT: Mr. Mark Boardman, City Attorney
Tommy Daniel, Director Public Works & Park Maint.
Chief Nick Derzis, Police Chief
Ms. Susan Fuqua, Director Municipal Court
Mr. Bob House, House Consultants
Mr. Richard Johnson, Director Inspection Services
Mr. Rod Long, City Engineer
Mr. Frank Lopez, Director Revenue and Taxation
Mr. Craig Moss, Director Hoover Parks & Recreation
Mr. Allen Pate, Executive Director
Mr. Ben Powell, Director Support Services
Chief Chuck Wingate, Fire Chief
Mr. Robert Yeager, Finance 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.

Mr. Greene led those present in the Pledge of Allegiance.

1. **REPORTS**

The City attorney at this time read a Proclamation commending the **Alabama Partners for Clean Air**. This is an initiative of the Birmingham Regional Planning Commission of Greater Birmingham.

2. **APPROVAL OF MINUTES**

Mr. Ivey stated each member of the Council had previously received a copy of the minutes of the February 2, 2009 Council meeting as well as the work session held on February 12, 2009.

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

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

3. **RESOLUTION NO. 4228-09 – AWARD BID #01-09 – ALFORD AVENUE ENHANCEMENT PROJECT**

Mr. Ivey stated a motion to continue was in order regarding this resolution.

Mr. Wright made a motion to **continue Resolution No. 4228-09 to the March 2, 2009** meeting. This motion was seconded by Mr. Skelton.

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

4. **RESOLUTION NO. 4229-09 – APPROVAL OF BONDS PURSUANT TO NOLAND HEALTH SERVICES, INC.**

Mr. Ivey stated a motion to continue was in order regarding this resolution.

Mr. Wright made a motion to **continue Resolution No. 4229-09 to the March 2, 2009** meeting. This motion was seconded by Mr. Skelton.

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

5. **RESOLUTION NO. 4230-09 – DECLARE VEHICLE AS SURPLUS**

The City Attorney read Resolution No. 4230-09. This resolution would declare as surplus a drug confiscated vehicle that was awarded to the City of Hoover Police Department to be auctioned via the Jefferson County Sheriff's Department Ebay account.

Mr. Wright made a motion to approve **Resolution No. 4230-09**. This motion was seconded by Mr. Skelton.

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

6. **RESOLUTION NO. 4231-09 – ACCEPTANCE OF ECITATION GRANT – POLICE DEPARTMENT**

The City Attorney read Resolution No. 4231-09. This resolution would accept the eCitation Grant award through the ADECA Grant Program for the purchase of equipment to be used by the Hoover Police Department.

Mr. Wright made a motion to approve **Resolution No. 4231-09**. This motion was seconded by Mr. Skelton.

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

7. **RESOLUTION NO. 4232-09 – AUTHORIZE MAYOR TO EXECUTE R.O.W. AGREEMENT WITH ALDOT – VALLEYDALE RD. WIDENING PROJECT**

The City Attorney read Resolution No. 4232-09. This resolution would authorize the Mayor to execute a right of way agreement with the Alabama Department of Transportation regarding the Valleydale Road Widening Project.

Mr. Wright made a motion to approve **Resolution No. 4232-09**. This motion was seconded by Mr. Skelton.

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

8. **RESOLUTION NO. 4233-09 – AUTHORIZE MAYOR TO EXECUTE AGREEMENT WITH AT & T – LONG DISTANCE SERVICE**

The City Attorney read Resolution No. 4233-09. This resolution would authorize the Mayor to execute an agreement with AT & T regarding long distance service.

Mr. Wright made a motion to approve **Resolution No. 4233-09**. This motion was seconded by Mr. Skelton.

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

9. **1ST READING ORDINANCE NO. 09-2176 – ASSENT TO VACATION OF PORTION OF R.O.W. AND AUTHORIZE SALE OF UNNEEDED MUNICIPAL REAL PROPERTY**

The City Attorney had the first reading of Ordinance No. 09-2176, assenting to the vacation of a portion of right-of-way, and authorizing the sale of unneeded municipal real property of the City of Hoover.

Mr. Ivey stated this ordinance will have its second reading and consideration for adoption on Monday, March 2, 2009.

10. **ABC APPLICATION – MOES ORIGINAL BBQ – 2341 JOHN HAWKINS PARKWAY, SUITE 117**

Mr. Ivey stated the Council has been requested to approve the ABC license for **Moes Original BBQ Hoover, LLC**, DBA Moes Original BBQ, 2341 John Hawkins Parkway, Suite 117. This will allow for the sale of restaurant retail liquor at this location.

Ms. Morrison made a motion to approve the ABC license for Moes Original BBQ Hoover, LLC. 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.

11. **PUBLIC HEARING – AMEND PC PORTION OF THE GROVE PUD REGARDING OFF STREET PARKING, SIGNS AND OTHER RELATED MATTERS – DEREK WEAVER**

Mr. Ivey stated that a motion to continue was in order regarding this request.

Ms. Morrison made a motion to **continue this public hearing to the March 2, 2009** meeting. 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.

12. **SET PUBLIC HEARING FOR MARCH 16, 2009, 6 P.M. TO CONSIDER REQUEST APPROVED BY PLANNING AND ZONING BOARD AT THEIR FEBRUARY 9, 2009 MEETING**

Mr. Ivey stated a public hearing is hereby set for Monday, March 16, 2009 at 6 p.m. to consider the following request, which was approved by the Planning and Zoning Board at their February 9, 2009 meeting:

- a. Stuart Garrette is requesting to amend the Conditional Use site plan for **Riverchase United Methodist Church, 1953 Old Montgomery Highway**, to include a soccer field with lights. This property is owned by Riverchase United Methodist Church, and is zoned R-1 Single Family District. (P&Z Item #5 – C-0109-01)

13. **PAYMENT OF BILLS**

Mr. Ivey stated the Council has received 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 submitted. This motion was seconded by Mr. Skelton.

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

Mr. Ivey called for any comments from the Council; 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 adjourned.

Linda Crump
City Clerk