

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: April 20, 2009
TIME: 6 P.M.
PLACE: Hoover Municipal Center
PRESENT: 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

ABSENT: Mayor Tony Petelos

ALSO PRESENT: Mr. Mark Boardman, City Attorney
Chief Nick Derzis, Police Chief
Ms. Susan Fuqua, Director Municipal Court
Mrs. Karen Higgins, Director of Human Resources
Mr. Bob House, House Consultants
Mr. Richard Johnson, Director Inspection Services
Mr. Frank Lopez, Director Revenue and Taxation
Mr. Ben Powell, Director Support Services
Mr. Tim Westhoven, Asst. Executive Director
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**

Mr. Ivey stated a motion was in order to elect a new appointee to the Board of Education.

Ms. Morrison made a motion to elect **Ms. Paulette Pearson** to the **Hoover Board of Education**. This motion was seconded by Mr. Greene. On voice vote the votes were as follows: Mr. Ivey, Mr. Greene, Ms. Morrison, Mr. Skelton, Mr. Smith, Mr. Wright, "Yea"; Dr. Lott, "Nay". Mr. Ivey stated the motion carried.

Mr. Ivey stated that Mayor Petelos is out of town. Therefore, the appointment to the Planning and Zoning Commission is continued to the next Council meeting.

Mr. Ivey recognized **Capt. Ken York, Hoover Police Department**. Capt. York stated the Hoover Police Department has been offered an opportunity to apply for a federal grant

known as the **Edward Byrne Memorial Justice Assistance Grant**, normally referred to as the “JAG” grant. Hoover’s portion of the grant would be a little better than \$79,000. One component of this grant is the requirement to offer public announcement and public comment as to how the funds would be spent. Capt. York stated that in addition to the public presentation before the Council at this meeting there will also be an announcement on the City of Hoover Police website (www.hooverpd.com) with his name and contact number for information on the grant. He reported that the \$79,000 will be used for two projects: (1) Approximately \$10,000 to \$20,000 to be used for Software Interface between New World Systems and Jefferson County District Attorney’s Case Management Program; and (2) The remaining funds to be used for the replacement of obsolete mobile data terminals in the Operations Bureau. There is no match on this grant, no cost to the City of Hoover.

2. **APPROVAL OF MINUTES**

Mr. Ivey stated each member of the Council had previously received a copy of the minutes of the April 6, 2009 Council meeting as well as the work session held on April 16, 2009.

Mr. Wright made a motion that the minutes be approved as presented and to dispense with the reading. 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. 4251-09 – AWARD BID #05-09 – MEDICAL-PHARMACEUTICAL SUPPLIES**

The City Attorney read Resolution No. 4251-09, which would award Bid #05-09 for Medical/Pharmaceutical Supplies to Bound Tree Medical; theirs being the lowest responsible bid.

Mr. Wright made a motion to approve Resolution No. 4251-09. 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.

4. **RESOLUTION NO. 4252-09 – AWARD BID #06-09 – GROUNDS MAINTENANCE CHEMICALS**

The City Attorney read Resolution No. 4252-09, which would award Bid #06-09 for Grounds Maintenance Chemicals to a list of lowest responsible bidders, as shown on the attached Exhibit “A” to the Resolution No. 4252-09.

Mr. Wright made a motion to approve Resolution No. 4252-09. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions.

Mr. Wright asked whether adequate provisions were being made for run-off from these chemicals. Mr. Tim Westhoven, Assistant Executive Director, stated provisions are made as part of the stormwater program. He said the applicators are trained and certified in this area.

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

5. **RESOLUTION NO. 4256-09 – REQUEST FOR ELECTRICAL SERVICE TO TRAFFIC SIGNAL INSTALLATIONS AT THE GROVE**

The City Attorney read Resolution No. 4256-09, which would authorize an agreement with Alabama Power for electrical service to traffic signals at The Grove development on Highway 150.

Mr. Wright made a motion to approve Resolution No. 4256-09. 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. 4257-09 – AMEND BUDGET**

The City Attorney read Resolution No. 4257-09, which would authorize amendments to the continuation of the 9/30/08 budget as shown on the attached Exhibit “A” to the resolution.

Mr. Wright made a motion to approve Resolution No. 4257-09. 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. 4258-09 – AUTHORIZE ESTABLISHMENT OF BANK ACCOUNTS AND EXECUTION OF SIGNATURE CARDS**

The City Attorney read Resolution No. 4258-09, which would authorize the establishment of bank accounts for the Fire Department Flower Fund, Police Department Indigent Fund, Police Department Water Fund, and the Hoover Administration Flower Fund at Regions Bank; and the Police Department Flower Fund at RBC Bank. This resolution would also authorize the execution of signature cards for these accounts.

Mr. Wright made a motion to approve Resolution No. 4258-09. 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. 4259-09 – REAPPOINTMENT OF AUDITORS**

The City Attorney read Resolution No. 4259-09, which would appoint *Borland Benefield* as the auditors for the City of Hoover for an additional four years.

Mr. Smith made a motion to approve Resolution No. 4259-09. 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. **RESOLUTION NO. 4260-09 – FIRE HYDRANT – JOHN HAWKINS PKWY – HOLIDAY INN EXPRESS**

The City Attorney read Resolution No. 4260-09, which would authorize the Birmingham Water Works Board to install a fire hydrant at 2901 John Hawkins Parkway at the entrance to the Holiday Inn Express.

Mr. Wright made a motion to approve Resolution No. 4260-09. 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.

10. **ORDINANCE NO. 09-2178 – ADOPT IDENTIFY THEFT PREVENTION POLICY-PROGRAM**

Mr. Ivey stated a motion for unanimous consent was in order for immediate consideration of this ordinance.

Mr. Wright made a motion for unanimous consent to allow immediate consideration of Ordinance No. 09-2178. This motion was seconded by Mr. Smith. On roll call vote, the votes of the Council were as follows: Mr. Ivey, "Yea", Mr. Green, "Yea", Dr. Lott, "Yea", Ms. Morrison, "Yea", Mr. Skelton, "Yea", Mr. Smith, "Yea", Mr. Wright, "Yea".

The City Attorney read at length Ordinance No. 09-2178. This ordinance would adopt an Identity Theft Prevention Policy-Program to comply with the Federal Trade Commission's Red Flags Rule. This ordinance shall amend the Municipal Code and shall be added to the Municipal Code as Section 15-4 of Chapter 15 *Utilities*, Article I. *In General*.

Mr. Wright made a motion to adopt Ordinance No. 09-2178. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions; there being none, he then 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. Skelton, "Yea", Mr. Smith, "Yea", and Mr. Wright, "Yea". The motion carried unanimously.

11. **PAYMENT OF BILLS**

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

Mr. Wright stated the bills had been reviewed and he made a motion they be paid as presented. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions. Mr. Smith stated he noticed there was a bill for Mercer. He asked Mr. Yeager, Finance Director, how much longer was the City contracted or obligated to this consultant.

Mr. Yeager stated they are currently involved in the appeals process. While he did not have a definite time, he expected their function to be completed within the next four to six weeks.

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

Mr. Ivey called for any comments or questions from anyone present.

Mr. Skelton complimented the Mayor on the success of **Hazardous Waste Day** held at Regions Park on Saturday. He commended the Mayor for his participation in greeting and assisting in unloading the vehicles. The crowd was tremendous and the city staff did a first class job. The citizens very much appreciate it.

Mr. Joe Rives, 3404 Welford Circle, requested the assistance of the Council in stopping the additional lane or lanes on **Patton Chapel Road**. He stated that according the Birmingham News Jefferson County is currently planning to use over one million dollars of the stimulus money to add additional lanes between Highway 31 and Crayrich Drive. He had requested by letter to Jefferson County Commissioners Carnes and Humphries that this project be scratched from the list of projects to be performed by the stimulus money. He asked for the Council's support in this position. He felt that adding an additional turn or suicide lane would be a waste of tax money and would create a more hazardous situation than currently exists as it would cause an increase in speed. It would also create a decrease in the property values of the homes in the area.

Mr. Rives requested the help of the Council in pushing the Jefferson County projects regarding the extension of Galleria Boulevard to Lorna Road, and the connection of the two sections of Chapel Lane under I-459. These projects would be of great help to the citizens of Hoover without serious negative impact.

Mr. Smith asked how this project was able to be fast forwarded over other projects. Mr. Tim Westhoven stated the Patton Chapel Road project is one that Jefferson County has been working on for quite some time. The turn lane widening of Patton Chapel from Highway 31 to Crayrich is the extent of the project widening. There is no intention of widening Patton Chapel any further.

Mr. Wright stated he recalled this project was initially going to include the widening of the road all the way but that plan has been revised to widen only to Crayrich Drive coming across the Douglas property on the corner and putting in the additional lane. He remembered that nine years ago the City funded \$368,000 towards architectural studies in two previous administrations toward this project. Basically, it is a Jefferson County Road but the City of Hoover did prevail in stopping the widening at Crayrich Drive.

Mr. Westhoven stated that was correct.

Mr. Ivey called for further comments or question.

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

Margie Handley, City Clerk