

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: September 21, 2009
TIME: 6:00 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
Mr. Tommy Daniel, Director, Public Works
Chief Nick Derzis, Police Chief
Ms. Karen Higgins, Director, Human Resources
Mr. Richard Johnson, Director, Inspection Services
Mr. Craig Moss, Director, Park and Recreation
Mr. Allen Pate, Executive Director
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**

Dr. Lott made a motion to appoint **Mr. Philip Richards** to fill the unexpired term of Ms. Jo Kittinger on the **Mental Retardation and Developmental Disabilities Healthcare Authority of Jefferson County**. Mr. Richards term will expire April 1, 2011. This motion was seconded by Mr. Wright. On voice vote the motion carried unanimously.

The City Attorney read a **Proclamation** declaring the week of October 25 - 31, 2009 as **Pro Bono Week**.

2. **APPROVAL OF MINUTES**

Mr. Ivey stated each member of the Council had previously received a copy of the minutes of the September 8, 2009 work session and regular meeting.

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. 4317-09 – AWARD BID 20-09 INTERSTATE INTERCHANGE LANDSCAPE MAINTENANCE**

The City Attorney read Resolution No. 4317-09, which would award Bid No. 20-09 for the Hoover Interstate Interchange Landscape Maintenance to **K&M Landscape Contractors, LLC** in the amount of **\$49,775.00**, theirs being the lowest responsible bid meeting all specifications and requirements. This resolution would also authorize the Mayor to execute a contract with said contractor for the work to be performed.

Mr. Wright made a motion to approve **Resolution No. 4317-09**. 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. 4318-09 – AWARD BID 21-09 HOOVER PUBLIC SAFETY CENTER LANDSCAPE MAINTENANCE**

The City Attorney read Resolution No. 4318-09, which would award Bid No. 21-09 for the Hoover Public Safety Center Landscape Maintenance to **K&M Landscape Contractors, LLC** in the amount of **\$17,787.00**, theirs being the lowest responsible bid meeting all specifications and requirements. This resolution would also authorize the Mayor to execute a contract with said contractor for the work to be performed.

Mr. Wright made a motion to approve **Resolution No. 4318-09**. 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.

5. **RESOLUTION NO. 4319-09 – AMEND BUDGET FYE 9/30/09**

The City Attorney read Resolution No. 4319-09, which would amend the budget for fiscal year ending September 30, 2009 as shown on the attached Exhibit “A” to the resolution.

Mr. Wright made a motion to approve **Resolution No. 4319-09**. 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. 4320-09 – EXTEND BUDGET FYE 9/30/09 TO OCTOBER 31, 2009**

The City Attorney read Resolution No. 4320-09, which would extend the budget for fiscal year ending September 30, 2009 through October 31, 2009.

Mr. Wright made a motion to approve **Resolution No. 4320-09**. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions; there being none, on voice vote the votes of the Council were as follows: Mr. Ivey, Mr. Greene, Dr. Lott, Ms. Morrison, Mr. Skelton, Mr. Wright, “Yea”; Mr. Smith, “Nay”. The motion carried.

7. **RESOLUTION NO. 4321-09 – AUTHORIZE PARK AND RECREATION TO APPLY FOR CAWACO CHALLENGE GRANT**

The City Attorney read Resolution No. 4321-09, which would authorize the Park and Recreation Department to apply for a CAWACO Challenge Grant to be used to construct a parking area for the proposed dog park.

Mr. Wright made a motion to approve **Resolution No. 4321-09**. This motion was seconded by Mr. Skelton.

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

8. **RESOLUTION NO. 4322-09 AUTHORIZE MAYOR TO EXECUTE DEED FOR TEMPORARY EASEMENT FOR THE CHAPEL LANE EXTENSION PROJECT**

The City Attorney read Resolution No. 4322-09, which would authorize the Mayor to execute a deed for a temporary easement for the Chapel Lane Extension project.

Mr. Wright made a motion to approve **Resolution No. 4322-09**. 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. 4323-09 AUTHORIZE MAYOR TO EXECUTE CHANGE AGREEMENT WITH BLUE CROSS BLUE SHIELD OF ALABAMA**

The City Attorney read Resolution No. 4323-09, which would authorize the Mayor to execute a Change Agreement with Blue Cross Blue Shield of Alabama to change the renewal date to October 1 to coincide with the City of Hoover fiscal year.

Mr. Wright made a motion to approve **Resolution No. 4323-09**. 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. **RESOLUTION NO. 4324-09 DECLARE SURPLUS – TELEPHONE LOGGING RECORDER**

The City Attorney read Resolution No. 4324-09, which would declare as surplus a Mercom Ultra64 Telephone Logging Recorder to be disposed of.

Mr. Wright made a motion to approve **Resolution No. 4324-09**. 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.

11. **RESOLUTION NO. 4325-09 AMEND RES. NO. 4291-09 REGARDING APPLICATION FOR TIGER GRANT – ENGINEERING DEPARTMENT**

The City Attorney read Resolution No. 4325-09, which would amend Resolution No. 4291-09, regarding the authorization for the Engineering Department to apply for a TIGER Grant. This would increase the amount of the grant application from \$25,000,000 to \$75,000,000 and increase the scope of work to include the proposed Interchange at I-459.

Mr. Wright made a motion to approve **Resolution No. 4325-09**. 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.

12. **CHANGE ORDER NO. 2 – PRESERVE PARKWAY (SULPHUR SPRINGS BYPASS) PROJECT**

Mr. Ivey stated a motion was in order to approve Change Order No. 2 to the Preserve Parkway (Sulphur Springs Bypass) Project.

Mr. Wright made a motion to approve **Change Order No. 2**. 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.

13. **2ND READING ORDINANCE NO. 09-2180 - ADOPTION BY REFERENCE – 2009 INTERNATIONAL CODES AND 2008 NATIONAL ELECTRICAL**

Mr. Ivey stated a motion was in order to continue the second reading and consideration for adoption of Ordinance No. 09-2180 to the October 19, 2009 City Council meeting.

Mr. Wright made a motion to **continue to the October 19, 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.

14. **SET PUBLIC HEARINGS FOR MONDAY, OCTOBER 19, 2009 AT 6:00 P.M.**

Mr. Ivey stated public hearings are hereby set for Monday, October 19, 2009, at 6:00 p.m., to consider the following requests which were approved by the Planning and Zoning Commission at their September 14, 2009 meeting:

- a. James B. Pittman is requesting **Conditional Use** approval to allow the sale of off premises only table wine at CVS located at **1775 Montgomery Highway**. This property is owned by Riverchase Shopping Center and is zoned PC Planned Commercial. *Case #C-0809-13.*
- b. Vladimir Pipa is requesting **Conditional Use** approval to allow the sale of restaurant retail liquor at Embassy Suites located at **2960 John Hawkins Parkway**. This property is owned by Chimam Patel and is zoned PC Planned Commercial. *Case #C-0909-14.*

15. **PAYMENT OF BILLS**

Mr. Wright stated the bills had been reviewed. He made a motion to pay the bills in full as submitted. This motion was seconded by Mr. Skelton.

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

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

Mr. Smith stated last week he attended the second of two meetings held by the **Birmingham Jefferson Transit Authority** in the Hoover Council Chambers. Unfortunately, the attendance

was limited to six other people consisting of city staff, transit authority staff, one Birmingham resident, and two or three Hoover residents. It was his understanding that the previous night there were only six in attendance as well. He spoke at length with the people who attended the second meeting and has come to determine that Hoover residents are not using the transit system to any large or small degree. The transit authority says it currently serves four paratransit customers. He mentioned to them that whatever funding, based on the numbers that were given for Hoover citizens, would be as much considered as being a good neighbor and not necessarily for the benefit of Hoover citizens. One thing he commented to them was his desire to hear from the business community. It seems that would be the area the transit authority would hit whether through workers or consumers. He emphasized the importance of hearing from the business community to help determine the value of what the City is appropriating for the transit authority.

Mr. Ivey called for further comments or questions from the Council or the audience. There being none, the meeting was adjourned.

Margie Handley
City Clerk