

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: October 5, 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: Ms. Linda Andrews, Library Director
Mr. Mark Boardman, City Attorney
Mr. Tommy Daniel, Director, Public Works
Chief Nick Derzis, Police Chief
Ms. Susan Fuqua, Director, Municipal Court
Ms. Karen Higgins, Director, Human Resources
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. 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**

The City Attorney read a **Proclamation** declaring the month of October, 2009, as **Dyslexia Awareness Month** in the City of Hoover. Several students who were present in the audience were invited to the front of the chambers to have their picture taken with the Mayor. Mayor Petelos presented the proclamation to **Ms. Hettie Johnson** and thanked her for coming. Ms. Johnson spoke regarding the importance of educating the State of Alabama about dyslexia to ensure that individuals with this learning disability are accurately identified and provided with appropriate services. She commented that people with dyslexia are very smart and very creative. She named several famous people both past and present with dyslexia (George Washington, Walt Disney, etc). She stated that Alabama is making some headway in getting the proper type of teaching for dyslexia. She noted that Vestavia is in the process of training twenty teachers to work with dyslexia students. Oxford is another system in Alabama that is

in the process of training teachers. She encouraged Hoover to join in those efforts and felt that this was a wonderful step in that direction. She thanked Mayor Petelos and the City Council for their support.

Mayor Petelos thanked Ms. Johnson and other advisers for the great work they do. He noted that just a few years ago very few people knew about dyslexia but because of the work they do in this area progress is being made in Alabama. He thanked Ms. Johnson and the students for coming.

Mayor Petelos stated he would like to thank the **Beautification Board** for their service to the City of Hoover. This Board provides services for so many different events for the City and they do a great job. Mayor Petelos stated he would like to make the following **reappointments** to the Beautification Board at this time: **Joann Powell, Mike Zarichnak, Chris Kirkland, Mary Ross Searcy, and Colette Scott**. In addition, he would like to make the following **new appointments**: **Nicole Rayborn, Jennifer Gregory, and Roberta Atkinson**. As their names were called they were invited to join Mayor Petelos at the front of the chambers to be recognized. These newly appointed members along with other board members who were present in the audience had their picture taken with the Mayor at the front of the chambers.

Mr. Wright made a motion to confirm the Mayor's appointments to the Beautification Board. This motion was seconded by Mr. Skelton. On voice vote the motion carried unanimously.

Ms. Pam Thompson, President, Beautification Board stated they are looking forward to a good year.

2. APPROVAL OF MINUTES

Mr. Ivey stated each member of the Council had previously received a copy of the minutes of the September 21, 2009 regular meeting and the October 1, 2009 work session.

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. 4326-09 – ACCEPT PUBLIC IMPROVEMENTS – TRACE CROSSINGS

The City Attorney read Resolution No. 4326-09. This resolution would accept public improvements for the following subdivisions in Trace Crossings: Sector 17; Sector 18; Sector 18, 1st Addition; and Sector 23.

Mr. Wright made a motion to approve **Resolution No. 4326-09**. 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. 4327-09 – DECLARE WEEDS AND/OR GRASS AS PUBLIC NUISANCE – 2300 SAVOY STREET

The City Attorney read Resolution No. 4327-09 which would declare weeds and/or grass to be a public nuisance at 2300 Savoy Street. It would further order the abatement of said property by the City of Hoover as provided under Alabama law.

The City Attorney presented photographs of the property taken today as evidence. He asked Robert Macke, Inspection Services Department, if these pictures accurately depict the premises as of today. Mr. Macke answered yes. The City Attorney asked was there an overgrowth of weeds that caused the items set out in resolution itself. Mr. Macke answered yes. The City Attorney stated that in fairness there has been some work done, but the property still presents a public nuisance and public hazard as set out in the resolution.

Mr. Wright made a motion to approve **Resolution No. 4327-09**. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions.

Ms. Michelle Alexander, 2100 Old Woodstock Road, West Blocton, Alabama, addressed the Council. She stated this property belonged to her cousin who is deceased. The property is currently tied up in an estate. She stated she had spoken with Mr. Macke on several occasions, and noted that they had just cut the grass on this property on Friday. She was unclear as to what exactly was expected of them regarding this property.

The City Attorney stated the overgrowth of weeds provides breeding grounds and shelter for rats, mice, snakes, mosquitoes, and other vermin, insects and pests. The height of the weeds constitute a fire hazard, and hides debris that could inflict injury on a person going upon the property. He acknowledged that efforts had been made to mow the grass, but the areas of overgrowth needed to be fixed. He noted that this resolution is dealing with public nuisance resulting from weeds and/or grass. Any issues with buildings on the property would be addressed separately if necessary.

Mr. Ivey stated he understood there is a time frame of twenty-one plus days before the City would hold a public hearing on this matter. He asked Mr. Pate if Mr. Macke could meet with Ms. Alexander at the property and show her what needs to be done in order to bring the property into conformity. Mr. Pate answered yes.

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

5. **RESOLUTION NO. 4328-09 – FISCAL YEAR 2010 PERSONNEL COSTS**

The City Attorney read Resolution No. 4328-09, which would freeze all annual step increases for Fiscal Year 2010, effective October 1, 2009. This resolution would also reiterate the \$100 per month family health insurance increase to city employees that was previously approved in the Fiscal Year 2009 budget.

Mr. Wright made a motion to approve **Resolution No. 4328-09**. This motion was seconded by Mr. Skelton.

Mr. Ivey called for any comments or questions.

Mr. Smith stated that in the city's history this is the first time any mayor or council has had to take such a step. However, due to the economic crisis involving not just our city or region, but our country, this appears to be the first and probably the main step to salvage that we do not have to lay off personnel. Personally, he found it very regrettable but necessary.

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

6. **RE-ISSUANCE OF EXPIRED ABC LICENSE – RESTAURANT RETAIL LIQUOR - MT. FUJI JAPANESE SEAFOOD STEAKHOUSE – 120 DOUG BAKER BLVD., SUITE 100**

Mr. Ivey stated a motion was in order to approve an application for the re-issuance of an expired ABC License for Sai Fang Lin d/b/a Mr. Fuji Japanese Seafood Steakhouse, 120 Doug Baker Boulevard, Suite 100, to allow for the sale of restaurant retail liquor.

Mr. Ivey asked if the background paper work was in order regarding this application. The clerk stated it was not required on the re-issuance of an expired license.

Ms. Morrison made a motion to approve the re-issuance of the expired ABC license. This motion was seconded by Dr. Lott.

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

7. **RE-ISSUANCE OF EXPIRED ABC LICENSE – OFF PREMISE RETAIL BEER – TIENDA LA MEXICANA – 3065 LORNA ROAD, SUITE A**

Mr. Ivey stated a motion was in order to approve an application for the re-issuance of an expired ABC License for Margarito O. Albarran d/b/a Tienda La Mexicana, 3065 Lorna Road, Suite A, to allow the sale of off premise retail beer.

Ms. Morrison made a motion to approve the re-issuance of the expired ABC license. This motion was seconded by Dr. Lott.

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

8. **SET PUBLIC HEARING FOR MONDAY, 10/19/09 – CONDITIONAL USE – SALE OF RETAIL BEER AND WINE – TAZIKIS GREEK FARE – 4745 CHACE CIRCLE, SUITE 117**

Mr. Ivey stated a public hearing is hereby set for Monday, October 19, 2009, at 6:00 p.m., to consider the request of Mr. Keith Richards for conditional use approval to allow the sale of retail beer (on or off premises) and retail table wine (on or off premises) at **Tazikis Greek Fare, 4745 Chace Circle, Suite 117**. This property is owned by Chace Lake Station, LLC, and is zoned PC Planned Commercial.

9. **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 he had intended to read a poem that was successfully read in another venue. He would do this at another time as he did not have a copy of the poem with him.

Ms. Morrison stated she understood that the ribbon cutting for the new Target store was scheduled for tomorrow. Mayor Petelos stated that was correct. The ribbon cutting is scheduled for 5:00 p.m. tomorrow. He invited the public to attend. This is the opening of the largest

Target store in the world. Ms. Morrison was encouraged to have this store opening in Hoover during this economic crisis. **The grand opening is scheduled for Sunday, October 11th, at 8:00 a.m.**

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