

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: April 5, 2010
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. Jack Wright, Council President, Pro-Tempore

ABSENT: Mr. Gene Smith, Council Member

ALSO PRESENT: Mr. Mark Boardman, City Attorney
Mr. Tommy Daniel, Director, Public Works
Chief Nick Derzis, Police Chief
Ms. Susan Fuqua, Director, Municipal Court
Mr. Bob House, House Consultants
Ms. Sharon Lester, 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**

Mr. Ivey recognized **Lee Lesley, Candidate for Jefferson County Circuit Judge, Domestic Relations, Place No. 20**. Mr. Lesley requested the support of those present in the June 1 Democratic Primary Election.

Ms. Laverne Airhart, Birchtree Garden Club, presented two **scrapbooks** to the Mayor and City Council to be given to the Hoover Historical Society for preservation. Mayor Petelos and Mr. Ivey thanked Ms. Airhart for their hard work in putting these scrapbooks together.

Mayor Petelos recognized the **Hoover High School Girls Basketball Team** for winning the Class 6A State Championship. He asked the team, faculty, principal, and coaches to come to the front of the chambers for the reading of a proclamation in their honor. He noted that the

State Legislature also presented a proclamation to the team on Thursday. At this time, the City Attorney read a **Proclamation** congratulating the team for winning the **2010 Class 6A Girls Basketball State Championship**. Those present gave them a standing ovation. Head Coach Donnie Quinn expressed appreciation to the Mayor and Council for honoring his team. Mayor Petelos presented copies of the proclamation to team members.

The City Attorney read a **Proclamation** declaring the month of April, 2010, as **Donate Life Month** in the City of Hoover. **Mr. Dem Lalian, Director of the Alabama Organ Center**, was present to accept the proclamation. Mr. Lalian expressed appreciation to the Mayor and City Council on behalf of those awaiting transplants. Mayor Petelos emphasized the importance of organ donation.

Mayor Petelos was pleased to report that the **Hoover Senior Center will reopen on May 17, 2010**. He anticipates that the new Municipal Drive will be open by that time.

Mayor Petelos recommended the reappointment of **Matthew Lemak** to the **Medical Clinic Board**. Dr. Lott made a motion to reappoint Mr. Lemak. This motion was seconded by Mr. Skelton. On voice vote the motion carried unanimously.

Mayor Petelos stated Dr. Jennifer Brewer resigned from the **Jefferson County Intellectual and Developmental Disabilities Authority (310 Board)**. He recommended the appointment of **Sylvia Harper** to fill the unexpired term of Dr. Brewer on this Board. Mr. Skelton made a motion to appoint Ms. Harper to this Board. This motion was seconded by Dr. Lott. On voice vote the motion carried unanimously.

Mr. Mike Zarichnak, Chairman, Beautification Board, gave a report on **Arbor Day 2010** held on Saturday, February 27th at Aldridge Gardens. He stated it was a very successful event again this year. This is the twelfth consecutive year that Hoover has celebrated Arbor Day and the eleventh year that it has earned the National Arbor Day Foundation Tree City USA designation. All activities for this event were coordinated through the Beautification Board which included the Fourth Grade Essay Contest, tree plantings at twelve Hoover Schools, and the celebration day itself. Council Member Mari Morrison was present at the celebration to read the Arbor Day Proclamation in the absence of the Mayor. Council Member John Greene and Representative Paul DeMarco were in attendance as well. An American Smoke Tree, which is a very rare and unique tree, was planted in honor of Arbor Day. He thanked Colin Conner, City Horticulturist, for all of his hard work and support toward making this event successful. He will be sending a full hard copy of the report on Arbor Day to the Mayor and Council. He asked Colin Conner and Beautification Board Members Andrew Fort, Mabel Prescott, Sara Perry, JoAnn Powell, and Chairman Pam Thompson to stand and be recognized at this time.

Mayor Petelos thanked the Beautification Board on behalf of the citizens of Hoover for all the work they do throughout the year.

2. APPROVAL OF MINUTES

Mr. Ivey stated each member of the Council had previously received a copy of the minutes of the March 15, 2010 regular meeting and the April 1, 2010 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 discussion from the Council. There being none, on voice vote the motion carried unanimously.

3. **ABC APPLICATION – 140 SPECIAL EVENTS LICENSE – REGIONS CHARITY CLASSIC**

Mr. Ivey stated a motion was in order to approve the **ABC Application** for a 140-Special Events License for **Regions Charity Classic** to be held on May 10 through May 16, 2010.

Mr. Wright made a motion to approve the ABC Application. This motion was seconded by Ms. Morrison. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

4. **RESOLUTION NO. 4387-10 – AWARD BID NO. 02-10 – ELEVATOR MAINTENANCE SERVICE**

The City Attorney read Resolution No. 4387-10. This would award Bid No. 02-10 for Elevator Maintenance Service to Partners Elevator Service in the amount of \$7,056.00; theirs being the lowest responsible bid meeting all specifications and requirements.

Mr. Wright made a motion to approve **Resolution No. 4387-10**. This motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

5. **RESOLUTION NO. 4388-10 – AWARD BID NO. 03-10 – INTERSECTION IMPROVEMENTS – CR275 AT RIVERCHASE PKWY.**

The City Attorney read Resolution No. 4388-10. This would award Bid No. 03-10 for Intersection Improvements at County Road 275 and Riverchase Parkway to Walker Patton Company, Inc. in the amount of \$816,701.06, and authorize the Mayor to execute a contract with said company for the work to be performed

Mr. Wright made a motion to approve **Resolution No. 4388-10**. This motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

6. **RESOLUTION NO. 4389-10 – REJECT BID NO. 04-10 – STREET SWEEPING & AUTHORIZE MAYOR TO NEGOTIATE**

The City Attorney read Resolution No. 4389-10. This would reject the bid of Sweeping Corporation, the only bid received on Bid No. 04-10 for Street Sweeping services, and authorize the Mayor to negotiate with this company for said services at a price not to exceed their quoted bid amount.

Mr. Wright made a motion to approve **Resolution No. 4389-10**. This motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

7. **APPROVAL OF FINAL CHANGE ORDER (NO. 4) – STADIUM TRACE PARKWAY SIDEWALK PROJECT**

Mr. Ivey stated a motion was in order to approve the Final Change Order (No. 4) to the Stadium Trace Parkway Sidewalk Project resulting in a reduction of \$28,887.61 to the contract with Pinkerton Construction.

Mr. Wright made a motion to approve the change order. This motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

8. **RESOLUTION NO. 4390-10 – AMEND BUDGET FYE 9/30/10**

The City Attorney read Resolution No. 4390-10. This would amend the Budget for Fiscal Year Ending September 30, 2010 as shown on the attached Exhibit “A” to the resolution.

Mr. Wright made a motion to approve **Resolution No. 4390-10**. This motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

9. **RESOLUTION NO. 4391-10 – AUTHORIZE MAYOR TO EXECUTE AGREEMENTS WITH HELENA FIRE DEPARTMENT**

The City Attorney read Resolution No. 4391-10. This would authorize the Mayor to execute Inter-Jurisdictional Automatic Fire and EMS Aid Agreement and Mutual Aid Agreement with the Helena Fire Department.

Mr. Wright made a motion to approve **Resolution No. 4391-10**. This motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

10. **RESOLUTION NO. 4392-10 – AUTHORIZE MAYOR TO EXECUTE MAINTENANCE AGREEMENT WITH ALDOT – CHAPEL LANE EXTENSION**

The City Attorney read Resolution No. 4392-10. This would authorize the Mayor to execute a maintenance agreement with the Alabama Department of Transportation for the Chapel Lane Extension from Al Seier Road to Galleria Boulevard.

Mr. Wright made a motion to approve **Resolution No. 4392-10**. This motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

11. **RESOLUTION NO. 4393-10 – APPOINT POLL WORKERS FOR APRIL 27, 2010 SPECIAL ELECTION**

The City Attorney read Resolution No. 4393-10. This would appoint the poll workers for the April 27, 2010 Special Election and set the compensation for said poll workers.

Mr. Wright made a motion to approve **Resolution No. 4393-10**. This motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

12. **PUBLIC HEARING – CONDITIONAL USE – ON PREMISE SALE OF ALCOHOLIC BEVERAGES – SOMERBY AT ST. VINCENT’S ONE NINETEEN**

Mr. Ivey stated this is the public hearing to consider the request of Allen Worthington, representing STV One Nineteen Senior Living, LLC, for approval of a conditional use to allow the on premise sale of alcoholic beverages (Type License: 160 Special Retail – More than 30 days) for **Somerby at St. Vincent’s One Nineteen**, located at 200 One Nineteen Blvd. This property is owned by STV One Nineteen Senior Living, LLC, and is zoned C-2 Community Business District.

Ms. Morrison made a motion to approve the **conditional use**. This motion was seconded by Dr. Lott. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

Ms. Morrison then made a motion to approve the **ABC Application for STV One Nineteen Senior Living, LLC**. This motion was seconded by Dr. Lott. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

13. **1ST READING ORDINANCE NO. 10-2190 – DEANNEX STRIP – FARLEY LANE – OFF HWY. 280 – VILLAGE AT LEE BRANCH**

The City Attorney had the first reading of Ordinance No. 10-2190. This would deannex a strip of land off Hwy. 280 at Village at Lee Branch Phase III. This will be part of the right of way for Farley Lane to be developed under Shelby County.

Mr. Ivey stated this ordinance will have its second reading and consideration for adoption on Monday, April 19, 2010.

14. **1ST READING ORDINANCE NO. 10-2191 – AMEND MUNICIPAL CODE – DISCHARGE OF FIREARMS WITHIN FACILITY DESIGNED FOR SUCH PURPOSE**

The City Attorney had the first reading of Ordinance No. 10-2191. This would amend the Municipal Code to allow the discharge of firearms within a facility designed and constructed for the safe discharge of firearms.

Mr. Ivey stated this ordinance will have its second reading and consideration for adoption on Monday, April 19, 2010.

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 additional comments or questions. There being none, the meeting was adjourned.