

**HOOVER CITY COUNCIL
MINUTES OF MEETING**

DATE: April 19, 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
Mr. Gene Smith, Council Member

ALSO PRESENT: Ms. Linda Andrews, Director, Library
Mr. Mark Boardman, City Attorney
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. 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 introduced **Denise Pomeroy, Candidate for Jefferson County Circuit Judge, Place 23**. Ms. Pomeroy thanked the Mayor and Council members for allowing her to attend. She stated she is a candidate for Place 23, Jefferson County Circuit Court, which is a Domestic Relations Court. She said that Jefferson County is in a unique situation this year as two of the three circuit judges who handle domestic relation cases are retiring. She stated she has practiced law in Jefferson County and Birmingham for more than 20 years working with domestic relations cases. She asked for the support of those present during the June 1 Primary Election. Mr. Ivey thanked Ms. Pomeroy for coming.

Mr. Ivey then introduced **Ms. Julie Palmer, Candidate for Jefferson County Circuit Judge, Place 20**. Ms. Palmer announced that Place 20 is also in domestic relations court. She reiterated Ms. Pomeroy's earlier statement that two very good judges are retiring this year. Ms. Palmer said she has been in practice for the last 16 years working primarily in domestic relations cases. She asked for the support of those present during the June 1 Primary Election. Mr. Ivey thanked Ms. Palmer for coming.

Mr. Ivey next introduced **Mr. David Carrington, Candidate for Jefferson County Commission District 5**. Mr. Carrington thanked the City Council members and Mayor Petelos and explained that he is a candidate for Jim Carne's seat who decided not to seek re-election. He stated the problems facing Jefferson County were, in his opinion, business problems with political implications and that's why he thinks it is so important for the person who is elected to have experience in both business and elected public office. If elected, he plans to recruit a professional, experienced county manager, resolve the sewer debt crises, right size government, restore the public trust in elected officials, and regain a leadership position in economic development and jobs. He stated he thinks he has the experience to do the job and he appreciates everyone's support. Mr. Ivey thanked Mr. Carrington for coming.

Mr. Ivey stated that **Borland Benefield** was present to give the annual **audit report**. Mr. Charles Polmatier, representing Borland Benefield, stated he wanted to briefly go over the 2009 audit results that were just issued about three weeks ago. He provided the Council with a communication he is required to go through. He wanted to point out that Borland Benefield's responsibility is to provide reasonable assurance that the City's financial statements are accurate. They have done so and issued an unqualified opinion and he stated they have also issued two other opinions; the yellow book and the single audit opinion on grants and compliance with law; all of which were unqualified, meaning no significant deficiencies or material weaknesses over the financial reporting in these areas. He stated that was a testament to Robert Yeager and his staff and also to the Directors and Department Heads who participated in the process. He thinks that is important especially with the year we've had financially and especially over the last eighteen months. That has allowed the City to maintain a certain level of financial status that is significantly better than most of the City's peers in his opinion. He stated that overall net assets of the City contracted .3% to some \$370,000,000 and that is quite remarkable in these times. The general fund added \$100,000 to its fund balance including transferring 2.7 million to the capital projects fund. That represents about 4 ½ months worth of spendable fund balance of the general fund, three months is generally considered an excellent mark there. One other point of note is that the sewer fund generated operating cash flow of some \$770,000 despite almost no tap fees during the year due to a tremendous drop in development, again from the economy. Mr. Polmatier then pointed out a few items to be aware of such as the roadway reassessment which is important. This will be the third full reassessment of roads and represents some 250 million dollars. There are two new GASB (Governmental Accounting Standards Board) pronouncements that should be taken note of; one has to do with self-reporting of intangible assets, specifically here he thought the point would be easements; and the other

has to do with GAAP accounting (Generally Accepted Accounting Principles). The Council thanked Mr. Polmatier for his time and recognized the good job Mr. Yeager has done.

Mr. Ivey stated that on the previous Thursday night, April 15th, the Council held interviews with the four applicants for the **Board of Education appointment**. Mr. Ivey asked for a motion for that appointment. Ms. Morrison stated she would like to make a motion and she nominated for re-appointment, **Ms. Donna Frazier**. The motion was seconded by Dr. Lott. Mr. Ivey asked for any discussion from the Council or any discussion from the audience. There was no discussion and on roll call vote the votes were as follows: Mr. Ivey, "aye"; Mr. Greene, "nay", Dr. Lott, "aye"; Ms. Morrison, "aye"; Mr. Skelton, "aye", Mr. Smith, "aye"; Mr. Wright, "nay". The motion carried. Mr. Ivey then congratulated Ms. Frazier. He thanked the other applicants for applying and said he appreciates them offering their time and Ms. Frazier for offering hers again.

Mr. Ivey stated the next item under reports was to set a time for a special meeting to be held before Noon on Tuesday, May 4th, 2010 to canvass the results of the April 27th Hoover Special Municipal School Tax Election. Mr. Ivey confirmed with the Mayor that 10:30 a.m. would be an appropriate time. Mr. Wright made a motion to hold a **special meeting at 10:30 a.m. on Tuesday, May 4th, 2010 to canvass the results of the special election**. The motion was seconded by Mr. Skelton and on voice vote the motion carried unanimously.

2. **APPROVAL OF MINUTES**

Mr. Ivey stated each member of the Council had previously received a copy of the minutes of the April 5, 2010 regular meeting and the April 15, 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. On voice vote the motion carried unanimously.

3. **RESOLUTION NO. 4394-10 – AWARD BID NO. 05-10 – TURNOUT GEAR – FIRE DEPARTMENT**

The City Attorney read Resolution No. 4394-10. This would award Bid No. 05-10 to North American Fire Equipment Company (NAFECO) in the amount of their quote as shown on the Exhibit A to the resolution; theirs being the lowest responsible bid meeting all specifications and requirements. Mr. Wright made a motion to approve **Resolution No. 4394-10**. This motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

4. **RESOLUTION NO. 4395-10 – AUTHORIZE INSTALLATION OF FIRE HYDRANTS IN THE JAMES HILL PHASE 3A SUBDIVISION.**

The City Attorney read Resolution No. 4395-10 which would authorize the installation of fire hydrants in the James Hill Phase 3A Subdivision in Ross Bridge. Mr. Wright made a motion to approve **Resolution No. 4395-10**. The motion was seconded by Mr. Skelton.

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

5. **RESOLUTION NO. 4396-10 – ACCEPT PUBLIC IMPROVEMENTS IN THE SOUTHWOOD HIGHLANDS PHASE 4 SUBDIVISION.**

The City Attorney read Resolution No. 4396-10 which would accept the maintenance of public improvements in the Southwood Highlands Phase 4 subdivision.

Mr. Wright made a motion to approve **Resolution No. 4396-10**. The motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

6. **RESOLUTION NO. 4397-10 – VACATION OF EASEMENT ON LOT G-12, ROSS BRIDGE PARCEL G.**

The City attorney read Resolution No. 4397-10 which would vacate the easement on lot G-12, Ross Bridge Parcel G.

Mr. Wright made a motion to approve **Resolution No. 4397-10**. The motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

7. **RESOLUTION NO. 4398-10 – AMEND BUDGET FYE 9/30/10.**

The City Attorney read Resolution No. 4398-10. This would amend the Budget for Fiscal Year Ending 9/30/10 as shown on the Exhibit “A” attached to the resolution.

Mr. Wright made a motion to approve **Resolution No. 4398-10**. The motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

8. **RESOLUTION NO. 4399-10 – AUTHORIZE EXTENSION OF CABLE FRANCHISE AGREEMENT WITH BRIGHT HOUSE NETWORKS FOR ONE YEAR.**

The City Attorney read Resolution No. 4399-10 which would authorize the extension of the Bright House Networks cable franchise agreement for one year.

Mr. Wright made a motion to approve **Resolution No. 4399-10**. The motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. There being none, on voice vote the motion carried unanimously.

9. **RESOLUTION NO. 4400-10 – AUTHORIZE MAYOR TO EXECUTE AGREEMENT WITH HABITAT FOR HUMANITY.**

The City Attorney read Resolution No. 4400-10 that would authorize the Mayor to execute a year-round volunteer based housing repair program agreement with Greater Birmingham Habitat for Humanity.

Mr. Wright made a motion to approve **Resolution No. 4400-10**. The motion was seconded by Mr. Skelton. Mr. Ivey called for discussion. Mr. Gene Smith stated that he

knew the funding that would be coming for this program is from federal grants and he could not think of a better partnership that the City could have than Habitat for Humanity.

Mr. Ivey asked for any further discussion from the Council or the audience. There being none on voice vote the motion carried unanimously.

10. **RESOLUTION NO. 4401-10 – SUPPORTING ALABAMA DEPARTMENT OF TRANSPORTATION.**

Mr. Ivey stated the Mayor wished to speak about this before the reading of the resolution. Mayor Tony Petelos stated that this was a resolution that ALDOT and the Governor's office wanted the municipalities to participate in. Mayor Petelos stated he knew that everything is not right with this program. He acknowledged there are a lot of questions and these questions came up at the last meeting of the Birmingham Business Alliance and have been documented. He distributed the list and said that ALDOT will be working on getting answers to those questions. He stated this resolution will keep the Hwy 280 project alive which is the most important thing; to continue the dialogue with ALDOT and with our businesses and our homeowners in our community to see what we can do. Without the support this project can die and nothing happens. He encouraged the council members to vote for this resolution.

The City Attorney read **Resolution No. 4401-10** supporting the Alabama Department of Transportations (ALDOTs) efforts to relieve the Highway 280 congestion problems. Mr. Wright made a motion to approve Resolution No. 4401-10. Mr. Skelton seconded the motion. Mr. Ivey asked for any discussion from the Council or the audience.

Mr. William Sweet, President of the Inverness Master Homeowner's Association addressed the Mayor and Council. He stated that after the last presentation, when the Mayor of the City of Birmingham was here, he met with Mr. Davis of ALDOT about an hour and ½ the next morning and from that meeting he came up with a list of concerns that the homeowners from Inverness have that he would like to share. Their first concern is about the noise from the elevated structure. Mr. Davis told him that with this new type of construction there will be much less noise than with the expressway running through downtown. But also, the Federal Department of Transportation requires modeling to determine the exact level of noise and Mr. Davis stated that he would like to see that the noise is reduced from the current level. Mr. Sweet said they would support the continuation of that study to see exactly what kind of noise levels they will be dealing with. He stated that at the present time, you can hear Highway 280 year round and the concern is with that structure being so high it will be above the tree line and it would be even noisier. But, he said he will yield to Mr. Davis on that and he encouraged the Council to continue the studies that ALDOT will be doing. The second concern is the mass of the structure; the structure is huge. It's going to cover the existing roadway and in his view it is going to be transformed from an urban highway to an urban expressway and that's a big change. Particularly, as it goes through the residential areas of Inverness and other residential areas along Highway 280. His third point is that within Highway 280, Inverness is much more residential than commercial. Within a half of a block is Danberry and within one block most all of the residential areas of Inverness are within

that area. He said this is typical along all sections of Highway 280. His fourth point is that they are proposing the connector off of Valleydale to Highway 280. Previously this was done on Highway 119. He said the connector will increase the current congestion on Valleydale Road significantly and if the project moves forward he would like the City to address the issue of Valleydale. He stated that for his fifth reason he will just say that it is unfortunate that the Alabama Constitution only allows ALDOT to look at roads. There are alternatives other than just roads and the public really is excluded from that planning process. He said he just returned from Salt Lake City this past week and they have a light rail going right down the middle of the street and there is one lane of traffic on each side of that light rail and then there is parking and he was absolutely amazed in the morning and in the evening at the lack of traffic at rush hour. Everybody was on that light rail and the light rail was free to anybody within the city limits of Salt Lake City. He said there is a lot more to discover and a lot more to evaluate and he thinks that ALDOT has their hands strapped with the Alabama Constitution and it is going to have a negative effect on the community. Mr. Sweet stated their proposal is to continue to encourage ALDOT and to continue to encourage the environmental impact statement. He said that the environmental impact statement will address and evaluate any negative aspects to this project and until that is complete he doesn't think that they can make a reasonable decision whether they in Inverness are for or against the project. He said he appreciated very much the opportunity to speak to the Council and if there were any questions they would certainly like to work with the City as the project moves forward. Mr. Ivey thanked Mr. Sweet for his comments.

At this time Mr. Ken Jackson came forward to address the Council. Mr. Jackson stated he has lived in Jefferson and Shelby Counties for fifty years, the last twenty of it in Hoover. He stated he doesn't have an agenda; he's looking at what is best for this community long term. He said the proposal is for six free lanes on Highway 280 plus four toll lanes on Highway 280. There are also four lanes of traffic coming from Highway 31 heading towards the Red Mountain Expressway. There's also a lane of traffic from Mountain Brook and a lane of traffic from Homewood which totals up to sixteen lanes of traffic to come onto the Red Mountain Expressway. He said he doesn't understand what this will accomplish. He asked this question at a Birmingham Rotary presentation during a weekly meeting and the response to the question was that there were a number of alternatives being considered. He said that is good but he knows if 16 lanes of traffic are coming and have to merge, he doesn't see how that is going to happen. He doesn't want to see a road project built and then immediately having to build another road project to solve the problem created by the first project. He's concerned that this really needs to be looked at long term rather than just getting this done.

Mr. Gene Smith then spoke saying he wanted to applaud the Governor, ALDOT and the Re-Think 280 group for everything they have put into this. He said that from a personal standpoint the only thing he finds regrettable is the financial information that some have asked for hasn't been made available.

At this time Dr. Lott asked the Mayor if the approval of the resolution is for the toll road with the hundred million dollar a mile cost or is the resolution saying that we support

their efforts to relieve the congestion. Mayor Petelos replied that in the resolution it does mention the toll road, it mentions the bridge and it mentions the fact of working on the congestion. His fear is that if the City doesn't support this nothing will happen because ALDOT has said that this is it. This is the plan.

The Mayor then addressed Mr. Sweet saying the transit issue is very important and the State of Alabama Constitution doesn't allow the tax money to be used for transit. He said this resolution is to support this program and he thinks as long as we continue to support this program we can continue to have dialogue. He stated we do need answers to the questions from ALDOT, but we just want to continue to have this program. If, at some point in the future, the Council is not comfortable with it they can pass another resolution saying they no longer support the program. The Mayor said he just wants to make sure we have a program to support to help alleviate traffic on Highway 280.

Mr. Ivey then said to Mr. Pate that he understood from him previously that the City has a good, open, on-going dialogue with ALDOT and we believe this will be beneficial. Mr. Pate said that although we do have an on-going dialogue with ALDOT he doesn't know if this will be sufficient to keep it going. He said other municipalities need to step up and voice some support for it or it will die. He hopes this will give it a breath of life.

Mr. Ivey asked for additional comments.

Mr. Joe Rives of 3404 Welford Circle stated he was very much for the program to relieve the traffic on Highway 280, however, he has watched ALDOT's presentation of their plan and to him it looked very much gold-plated, costing over 800 million dollars. He believed there were other plans for doing the same thing. He questioned whether the Council had looked at the other plans for relieving congestion on Hwy. 280.

Ms. Morrison stated that other plans had not been brought to the Council and they have not been privilege to probably the most significant part of the plan, that being the financial structure of it. She said she would have preferred to have had a person with financial information there that night to discuss it with them because it is a significant amount of money and everyone knows where the State is and the federal government is today. She explained that this is resolution is basically just something to keep the dialogue going. Something has to be done with Highway 280. She said she has never been a proponent of an overhead toll road because, as she has remarked to many people, Embarcadero in San Francisco was torn down as a result of what occurred out there years ago. They did not rebuild, in fact they were happy to see it go. She said they want to help the residents of Hoover and the commuters on Highway 280 and she felt there is an obligation to help with that traffic congestion. If Hoover did not have I-65 to alleviate traffic congestion on Highway 31 she is sure there would be numerous people voicing the same arguments as those that have to sit in traffic on Highway 280. She stated Hoover is fortunate to have I-65, but there are no plans to have an interstate or any other road built so what we are left with is how do we respond to assist these people. As the Mayor has stated this is just an attempt to keep the dialogue going. It is not a statement of total overall 100% support of the plan, and we do have numerous questions whether it deals with the engineering aspect of it or the financial aspect.

Mr. Rives again stated that he is just concerned about the plan that ALDOT has put forth and spending 800 million dollars. He wants us to make sure we are not going the wrong way on this. Mr. Ivey thanked Mr. Rives for his comments.

Mayor Petelos then addressed Mr. Ken Jackson referring to his earlier comments and stated he was at the same meeting with Mr. Jackson at the Harbert Center where he had asked that question and they didn't have an answer for it. The Mayor stated that the Council has an opportunity when they receive answers to all of their questions about what happens to all that traffic when it gets to the Red Mountain portion of it and if they don't have a good answer then the Council can come back and say the City does not support this plan. What he is trying to do as Mayor is keep this alive and continue to be a part of this process. He said the City has heard the presentation by the Re-Think 280 group. ALDOT has if their plan does not work financially or physically at Red Mountain they will pull the plug on it. His position as Mayor is that he does not want us to pull the plug too soon and that is why he is supporting this and asking the City Council to support this resolution tonight. Mr. Ivey thanked the Mayor for his comments.

Mr. Skelton requested that upon receiving the answers back from ALDOT relative to these questions would the Mayor consider posting them on Hoover's website. The Mayor replied that he would. He felt it would be a good idea to set up a section on the website regarding Highway 280.

Mr. Ivey asked for any additional comments. There being none, Mr. Ivey called for a vote on the motion and second previously made. On voice vote the votes of the Council were as follows: Mr. Ivey, "aye", Mr. Wright, "aye"; Mr. Skelton, "aye", Ms. Morrison, "aye"; Dr. Lott, "aye"; Mr. Greene, "aye"; Mr. Smith, "nay". The motion carried.

11. **RESOLUTION NO. 4402-10 – AUTHORIZE MAYOR TO APPLY FOR A CAWACO GRANT FOR WATER QUALITY IMPROVEMENT PROJECT AT VETERANS PARK**

The City Attorney read Resolution No. 4402-10 that would authorize the Mayor to apply for a grant with CAWACO for a water quality improvement project at Veterans Park.

Mr. Wright made a motion to approve **Resolution No. 4402-10**. Mr. Skelton seconded the motion. Mr. Ivey asked for any discussion from the council or the audience. There being none on voice vote the motion carried unanimously.

12. **2nd READING ORDINANCE NO. 10-2190 – DEANNEX STRIP – FARLEY LANE – OFF HWY. 280 – VILLAGE AT LEE BRANCH**

The City Attorney had the second 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. Wright made a motion to approve **Ordinance No. 10-2190**. Mr. Skelton seconded the motion. Mr. Ivey asked for any discussion from the Council or from the audience. There being none Mr. Ivey asked for a roll call vote. Mr. Ivey, "aye"; Mr. Greene, "aye";

Dr. Lott, “aye”; Ms. Morrison, “aye”; Mr. Skelton, “aye”; Mr. Smith, “aye”; Mr. Wright, “aye”. The motion carried.

13. **2nd READING ORDINANCE NO. 10-2191 – AMEND MUNICIPAL CODE TO ALLOW THE DISCHARGE OF FIREARMS WITHIN A FACILITY DESIGNED AND CONSTRUCTED FOR THE SAFE DISCHARGE OF FIREARMS.**

Mr. Smith stated that he wanted the record to reflect that he was going to abstain from this item.

The City Attorney had the second 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. Wright made a motion to adopt **Ordinance No. 10-2191**. Mr. Skelton seconded the motion. Mr. Ivey asked for any discussion from the Council or the audience. Mr. Greene stated that he also wished to abstain from this vote. There being no further discussion Mr. Ivey asked for a roll call vote. The votes were as follows: Mr. Ivey, “aye”; Dr. Lott, “aye”; Ms. Morrison, “aye”; Mr. Skelton, “aye”; Mr. Wright, “aye”. The motion carried. Mr. Smith and Mr. Greene abstained.

14. **SET PUBLIC HEARING FOR MONDAY, MAY 17, 2010 AT 6 P.M. – CONDITIONAL USE – OFF PREMISE ONLY SALE OF BEER & RETAIL WINE AT INDIA HERITAGE LOCATED AT 3137 LORNA ROAD, SUITE 7.**

Mr. Ivey stated a public hearing is hereby set for Monday, May 17, 2010, at 6:00 p.m. to consider the request of Snehla Sane, India Heritage, for **Conditional Use** approval for the off-premises only sale of beer and retail wine at **India Heritage** located at **3137 Lorna Road, Suite 7**. This property is owned by Don Schilleci c/o Sundance Properties and is zoned C-1 (Neighborhood Shopping District). P&Z C-0410-05.

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 asked for any comments from the Council.

Mr. Smith stated he had an opportunity to stop by **Hazardous Waste Day** and the Mayor was there greeting everyone as they came. Mayor Petelos said there were over 950 cars that day and it was a big success. He noted that a lot of the materials are able to be recycled like the electronics with The Foundry, the cooking oil that will be made into fuel, and the motor oil that is sent to the recycler. The Mayor stated that Mr. Pate’s staff was there working as well as many other employees. He said everyone does a great job and he’s proud that the City of Hoover has been doing this for 11 years now. Mr. Smith agreed that it was a great turnout even up against the A-Day games; Auburn, Alabama, UAB and Samford. He congratulated Mr. Pate, the Police Department and their EOD Disposal Unit and even more so Tommy Daniel and his staff for a lot

of hard work in the heat. He noted there was a smile on every face that he saw and he said that was exceptional.

Mr. Ken Jackson said that he was there at 8:00 a.m. and asked that the Mayor give his regards to the personnel who were friendly, and not just doing their jobs, it was the way they did it. They were smiling, they were happy and the City deserves to be proud. Mr. Ivey thanked Mr. Jackson for his kind words.

Mr. Ivey asked for any further comments or questions.

Mrs. Cathy Hodo, a resident of Hoover for 26 years, stated she has a serious problem with a dog in her neighborhood that barks at 4:00 to 5:00 in the morning for hours. Last night it went until 10:20 and has gone on as late as 11:20. She reviewed the Noise Ordinance on-line and on paper it looks like all one has to do is make a phone call and the problem will be solved because the ordinance says, it shall be unlawful. She looked up the word "unlawful" and it means "not lawful, illegal". She said she looked up the word "ordinance" and it means "authoritative rule or law". She said the ordinance is on the books but it can't be enforced easily because the way Hoover is set up as she understands through Animal Control. Animal Control Officer Davis told her she needed to have other neighbors to come forward.

She explained that the police have been to her house at least 10 times in the last year after complaining to them and asking them to talk to the neighbor and get the dog in. But, the dog doesn't come in. The barking does not seem to bother the owner of the dog. Ms. Hodo said it has gotten to the point where it has stressed her medical condition. She does not believe she should have to knock on neighbors doors and ask if the dog bothers them. However, she did so only to learn that no one wants to get involved or step forward.

Mr. Ivey suggested that Ms. Hodo get with Susan Fuqua who is over Animal Control, and asked if Chief Derzis would allow Police Officer Jihad Al-Dakka to get involved to determine what could be done to assist her with this problem.

Ms. Hodo then inquired as to why the City was having a special election on April 27th when the Primary Election was being held in June. She asked why they could not be held together. Mr. Wright explained to Mrs. Hodo that one was a special Hoover election and the other is the Democratic and Republican primary and those cannot be held together. They are separate issues. Ms. Hodo thanked the Council for giving the citizens of Hoover the chance to come up, ask their questions and give their comments. Mr. Gene Smith asked her to let them know how it turns out.

Mr. Ivey asked for any additional comments before the meeting is adjourned for a second time. There were none and Mr. Ivey adjourned the meeting.

Margie Handley
City Clerk