

CITY OF HOOVER
CITY COUNCIL MEETING
MINUTES

TUESDAY, JULY 5, 2022

The City Council of the City of Hoover met in regular session on this date at 6:00 PM, in the Council Chambers at the Hoover City Hall, following publication and posting pursuant to Alabama Law. Council President John Lyda called the meeting to order.

Members Present: John B. Lyda, Council President
Curt Posey, Council Pro-Tem
Sam Swiney, Council Member
Mike Shaw, Council Member
Steve McClinton, Council Member

Members Absent: Derrick Murphy, Council Member
Casey Middlebrooks, Council Member

Other Officials Present: Frank V. Brocato, Mayor
Allan Rice, City Administrator
Phillip Corley, City Attorney
Wendy Dickerson, City Clerk
Tina Bolt, Treasurer/Chief Financial Officer
Jehad Al-Dakka, Chief Operations Officer

Mrs. Dickerson, City Clerk, led the invocation.

Mr. Sam Swiney led the Pledge of Allegiance to the Flag of the United States of America.

EMPLOYEE RECOGNITIONS

- Mr. Rice – Local Government Professional Management Certificate
- Ms. Bolt - Local Government Professional Management Certificate
- Mr. Al-Dakka – Local Government Professional Management Certificate

PROCLAMATIONS

- Hoover Restaurant Week

PRESENTATION

- Sons of The American Revolution – Mr. C.W. Posey

REPORT

- Financials – April 2022 – Ms. Bolt

CONSENT AGENDA

APPROVAL OF MINUTES

JUNE 20, 2022 (WORK SESSION) AND JUNE 20, 2022 (MEETING)

RESOLUTION NUMBER 6742-22

**A RESOLUTION ACCEPTING A BID FOR THE RUSSET WOODS
SIDEWALK PROJECT – BID #22-012 FOR THE CITY OF HOOVER,
ALABAMA**

RESOLUTION NUMBER 6743-22

**A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS WITHIN
PUBLIC RIGHT-OF-WAY**

RESOLUTION NUMBER 6746-22

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
COMMUNITY INFRASTRUCTURE AGREEMENT WITH JEFFERSON
COUNTY, ALABAMA**

Mr. Lyda asked if anyone from the Council would like an item removed from the Consent Agenda.

Mr. Lyda asked if anyone from the audience would like an item removed from the Consent Agenda.

No one asked for an item to be removed from the Consent Agenda.

Mr. Corley read the summary of the Consent Agenda Items/Resolutions.

MOTION Motion for the approval of the Consent Agenda Items/Resolutions was made by Mr. Posey, seconded by Mr. Shaw.

Mr. Lyda called for the question with a voice vote and the motion carried approving all Consent Agenda items/Resolutions.

REGULAR AGENDA

RESOLUTION NUMBER 6741-22

**A RESOLUTION AUTHORIZING BIRMINGHAM WATER WORKS TO
INSTALL TWELVE FIRE HYDRANTS**

Mr. Corley read the summary of the Resolution.

MOTION Motion for the approval of Resolution Number 6741-22 was made by Mr. Posey, seconded by Mr. Shaw.

Mr. Lyda opened the floor and asked if the Council had any questions or comments.

Mr. Lyda asked if the public had any questions or comments.

The floor was closed for discussion.

Mr. Lyda called for the question with a voice vote and the motion carried approving Resolution Number 6741-22.

RESOLUTION NUMBER 6745-22

**A RESOLUTION DECLARING A WEED AND OTHER VEGETATION
NUISANCE AND DIRECTING THE ABATEMENT OF SAID NUISANCE
PURSUANT TO ALABAMA LAW**

Mr. Corley read the summary of the Resolution.

MOTION Motion for the approval of Resolution Number 6745-22 was made by Mr. Posey, seconded by Mr. Shaw.

Mr. Mac Martin, City Planner, explained that this will declare a nuisance.

Mr. Lyda opened the floor and asked if the Council had any questions or comments.

Mr. Lyda asked if the public had any questions or comments.

The floor was closed for discussion.

Mr. Lyda called for the question with a voice vote and the motion carried approving Resolution Number 6745-22.

ORDINANCE NUMBER 22-2569

**ANNEXATION – 249 SOUTH BURBANK DRIVE AND 250 SOUTH
BURBANK DRIVE, JOHN AND DEBRA BLAISING AND TUSCALOOSA
PAINT AND DECORATING, INC., OWNER(S)**

MOTION Motion for the withdrawal of Ordinance Number 22-2569 was made by Mr. Shaw, seconded by Mr. Posey.

Mr. Shaw stated that the applicants withdrew the application.

Mr. Lyda called for the question with a voice vote and the motion carried withdrawing Ordinance Number 22-2569.

1ST READING

RESOLUTION NUMBER 6740-22

**CONDITIONAL USE – TO ALLOW TO OPERATE AS AN EVENT
FACILITY TO INCLUDE LIVE ENTERTAINMENT WITHIN THE
PREMISES FOR THE PROPERTY LOCATED AT 2970 LORNA ROAD -
*PUBLIC HEARING FOR JULY 18, 2022***

Mr. Corley read the summary of the Resolution.

Mr. Martin explained the request.

ORDINANCE NUMBER 22-2571

REZONING – FOR THE PROPERTY LOCATED AT PART OF LOT 5E OF RESURVEY LOT 5 AND A PORTION OF COMMON AREA OF INTERNATIONAL PARK FIRST SECTOR, MAP BOOK 244, PAGE 53 FROM PO (PLANNED OFFICE) TO PR-1 (PLANNED SINGLE FAMILY RESIDENTIAL DISTRICT) - *PUBLIC HEARING FOR JULY 18, 2022*

Mr. Corley read the summary of the Ordinance.

Mr. Martin explained the request.

COUNCIL COMMENTS

- World Games – July 7 – 17th, 2022
- Old Glory Relay – July 6, 2022 at 1:00 p.m. at Hoover City Hall

PUBLIC COMMENTS

- Matt Daniels - Pine Rock Lane
- Clint Bircheat - Southview Drive

EXECUTIVE SESSION

Mr. Lyda stated that the City is aware of controversies that exist concerning matters not yet litigated but that may be litigated in the near future and the City Attorney has an opinion on whether or not the City Council can go into an executive session.

Mr. Corley stated that he certifies that it is proper to go into executive session for the purpose of discussing legal ramifications and options for certain controversies not yet being litigated, but eminently likely to be litigated or if the City Council would like to pursue a proposed course of action. He stated that this fits under exceptions of the Open Meetings Act for an executive session.

MOTION Motion to go into executive session was made by Mr. Posey, seconded by Mr. Shaw for the purpose to discuss legal ramifications and options for certain controversies not yet being litigated but that may be litigated.

Mr. Lyda called for the question with a roll call vote, as follows:

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|-----------------|---------------------|
| Mr. Posey – yes | Mr. Swiney – yes |
| Mr. Shaw – yes | Mr. McClinton – yes |
| Mr. Lyda - yes | Motion carried. |

Mr. Lyda called for the question with a roll call vote and the motion carried to go into executive session. The executive session was projected to last approximately 30 minutes. The meeting went

into executive session at 6.46 p.m. Mr. Lyda announced that the meeting will not reconvene after the executive session. The executive session ended at 7:17 p.m.

Wendy Dickerson, City Clerk