

**HOOVER CITY COUNCIL  
MINUTES OF MEETING**

**DATE:** Monday, April 2, 2018  
**TIME:** 6:00 P.M.  
**PLACE:** Hoover Municipal Center  
**PRESENT:** Mayor Frank V. Brocato  
Mr. Gene Smith, Council President  
Mr. John Greene, Council President Pro-Tempore  
Mr. John Lyda, Council Member  
Dr. Casey Middlebrooks, Council Member  
Mr. Derrick Murphy, Council Member  
Mr. Curt Posey, Council Member  
Mr. Mike Shaw, Council Member

**ALSO PRESENT:** Mr. Phillip D. Corley, Jr., City Attorney  
Ms. April Danielson, Wallace, Jordan, Ratliff & Brandt, LLC  
Mr. Rod Evans, Wallace, Jordan, Ratliff & Brandt, LLC  
Chief Clay Bentley, Fire Chief  
Ms. Amanda Borden, Library Director  
Chief Nick Derzis, Police Chief  
Mr. Greg Knighton, Economic Developer  
Mr. Mike Lewis, Director, Human Resources  
Mr. Rod Long, City Engineer  
Mr. Frank Lopez, Director, Revenue and Taxation  
Ms. Susan Fuqua, Court Magistrate  
Mr. Mac Martin, City Planner  
Mr. Tommy Daniel, Director, Public Works  
Mr. Ben Powell, Director, Purchasing  
Mr. Allan Rice, City Administrator  
Mr. Tim Westhoven, Chief Operations Officer  
Dr. Melinda Lopez, Chief Financial & Information Officer  
Mr. Jim Wyatt, Director, Inspection Services  
Ms. Dee Nance, Community Services Officer

The meeting was called to order by Council President Gene Smith.

The clerk had roll call and a quorum was present.

The clerk gave the invocation.

The Pledge of Allegiance was led by Mr. Posey.

1. **APPROVAL OF MINUTES**

Mr. Lyda made a motion to approve the minutes of the March 19, 2018 regular meeting and March 29, 2018 work session as presented and to dispense with the reading. This motion was seconded by Mr. Posey. Mr. Smith called for questions or comments from the Council. There being none, on voice vote the motion carried unanimously.

2. **REPORTS**

The City Attorney read the Proclamation declaring **April 2018** as **National Donate Life Month** in the City of Hoover. Ms. Jan Jones was present to receive the Proclamation.

Mr. Smith announced that Porter White & Company, Inc. would be making a presentation. Representatives from Porter White came forward and gave an in-depth explanation of the current state of the City's finances and future revenue projections. Their report indicates spending will outpace revenue over the next five years. A copy of the report (5-year Projections and Related Data) is on file in the City Clerk's office.

There was discussion regarding some of the findings with the report. Mayor Brocato stated he would be in touch with the Council in the coming days with additional information regarding the City's finances and he plans to present options to the Council for consideration within the next two weeks.

3. **RESOLUTION NO. 5792-18 – BID NO. 18-002 – REMOUNT RESCUE UNIT BODY ON CAB CHASSIS**

The City Attorney read Resolution No. 5792-18. This would award **Bid No. 18-002 Remount Rescue Unit Body on Cab Chassis** to **Southern Emergency Consultants, LLC** in the amount of **\$46,179.50**, and authorize the Mayor to execute an agreement with the bidder for the services to be performed.

Mr. Lyda made a motion to approve **Resolution No. 5792-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none on voice vote the motion carried unanimously.

4. **RESOLUTION NO. 5793-18 – AUTHORIZE MAYOR TO EXECUTE FOURTH AMENDMENT TO ANTENNA SITE LEASE SCHEDULE FOR CITY'S USE OF THE TELVUE/TYLER ROAD COMMUNICATIONS TOWER - 2331 TYLER ROAD**

The City Attorney read Resolution No. 5793-18 to authorize the Mayor to execute the Fourth Amendment to the Antenna Site Lease Schedule between Crown Castle d/b/a Pinnacle Towers LLC and the Hoover Police Department for the City's use of the Telvue/Tyler Road communications tower located at 2331 Tyler Road for public safety purposes.

Mr. Lyda made a motion to approve **Resolution No. 5793-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none on voice vote the motion carried unanimously.

5. **RESOLUTION NO. 5794-18 – AUTHORIZE MIKE LEWIS, DIRECTOR OF HUMAN RESOURCES AND/OR HIS DESIGNEE TO EXECUTE A MUTUAL CONFIDENTIALITY & NON-DISCLOSURE AGREEMENT WITH BENEFITFOCUS.COM, INC.**

The City Attorney read Resolution No. 5794-18 that would authorize Mike Lewis, Human Resources Director or his designee to execute a mutual confidentiality and non-disclosure agreement with BenefitFocus.com, Inc. in order to comply with HIPAA concerning Business

Associates. This also authorizes the Director of Human Resources or his designee to execute any Business Associate agreement on behalf of the City in order to comply with HIPAA.

Mr. Lyda made a motion to approve **Resolution No. 5794-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

6. **RESOLUTION NO. 5795-18 – AUTHORIZE THE MAYOR OR HIS DESIGNEE TO EXECUTE PARTICIPATING AMBULANCE AGREEMENTS WITH BLUE CROSS BLUE SHIELD OF ALABAMA**

The City Attorney read Resolution No. 5795-18 authorizing the Mayor or his designee to execute participating ambulance agreements with Blue Cross Blue Shield of Alabama.

Mr. Shaw made a motion to approve **Resolution No. 5795-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none on voice vote the motion carried unanimously. Mr. Lyda abstained.

7. **RESOLUTION NO. 5796-18 – AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH AMBULANCE MEDICAL BILLING TO PROVIDE AMBULANCE BILLING SERVICES FOR THE CITY OF HOOVER**

The City Attorney read Resolution No. 5796-18 authorizing the Mayor to execute an agreement with Credit Bureau Systems, Inc. d/b/a Ambulance Medical Billing to provide ambulance billing services for the City of Hoover.

Mr. Lyda made a motion to approve **Resolution No. 5796-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

8. **RESOLUTION NO. 5797-18- AMEND BUDGET FOR FISCAL YEAR ENDING 9/30/18.**

The City Attorney read Resolution No. 5797-18 that would amend the budget for fiscal year ending 09/30/18 as set forth on the Exhibit attached to the Resolution.

Mr. Lyda made a motion to approve **Resolution No. 5797-18**. This motion was seconded by Mr. Greene. Mr. Smith called for questions or comments from the Council or the audience.

Mr. Shaw stated the budget amendment eliminates previously approved funding for a technology study for which they found other options. There were no further comments or questions and on voice vote the motion carried unanimously.

9. **2<sup>ND</sup> READING ORDINANCE NO. 18-2362 – ANNEX PHASE I OF PROPERTY LOCATED AT 7160 CAHABA VALLEY ROAD, OWNED BY BROOK HIGHLAND COMMUNITY CHURCH.**

The City Attorney had the Second Reading of Ordinance No. 18-2362. This would annex Phase I of property located at 7160 Cahaba Valley Road owned by Brook Highland Community Church.

Mr. Posey made a motion to adopt **Ordinance No. 18-2362**. This motion was seconded by Dr. Middlebrooks. Mr. Smith called for questions or comments from the Council or the audience. There being none, on roll call vote of the Council the votes were as follows: Mr. Greene, "Yea"; Mr. Lyda, "Yea"; Dr. Middlebrooks, "Yea"; Mr. Murphy, "Yea"; Mr. Posey, "Yea"; Mr. Shaw, "Yea"; and Mr. Smith, "Yea". The motion carried unanimously.

10. **1<sup>ST</sup> READING ORDINANCE NO. 18-2366 – ANNEX PHASE 2 OF PROPERTY LOCATED AT 7160 CAHABA VALLEY ROAD, OWNED BY BROOK HIGHLAND COMMUNITY CHURCH**

The City Attorney had the first reading of **Ordinance No. 18-2366**. This would annex Phase 2 of property located at 7160 Cahaba Valley Road owned by Brook Highland Community Church.

The second reading and consideration for adoption will be on Monday, April 16, 2018.

11. **1<sup>ST</sup> READING ORDINANCE NO. 18-2363 – AMEND MUNICIPAL CODE, APPENDIX I, ZONING, REGARDING STORAGE AND REMOVAL OF INOPERABLE VEHICLES. (CONTINUED FROM 3/19/18 MEETING). 2<sup>ND</sup> READING AND CONSIDERATION FOR ADOPTION ON MONDAY, APRIL 16, 2018.**

Mr. Smith stated it was his understanding that the Mayor's office and staff wanted the 1<sup>st</sup> reading of Ordinance 18-2363 to be continued. Mr. Lyda made a motion to **continue** the 1<sup>st</sup> reading of **Ordinance No. 18-2363** to the call of the Chair. Mr. Green seconded the motion. Mr. Smith asked for questions or comments from the audience and Council. There being none on voice vote the motion carried unanimously.

12. **1<sup>ST</sup> READING ORDINANCE NO. 18-2367 – PROVIDE FOR THE LEVYING OF MUNICIPAL TAXES FOR GENERAL AND MUNICIPAL PURPOSES FOR THE CITY OF HOOVER, AND FOR THE ASSESSMENT AND COLLECTION OF SUCH TAXES FOR TAX YEAR BEGINNING OCTOBER 1, 2018.**

The City Attorney had the first reading of Ordinance No. 18-2367 that provides for the levying of municipal ad valorem taxes effective October 1, 2018. These taxes shall be collected as usual by the tax collectors of Jefferson and Shelby Counties.

Mr. Smith stated this is the annual tax levy ordinance that is adopted every year. The second reading and consideration for adoption will be on Monday, April 16, 2018.

13. **1<sup>ST</sup> READING ORDINANCE NO. 18-2368 – AMEND MUNICIPAL CODE – ADD CHAPTER 16 – ESTABLISHMENT OF THE HOOVER ARTS COUNCIL**

The City Attorney had the first reading of **Ordinance No. 18-2368** that would amend the Municipal Code to create the Hoover Arts Council for the purposes of advancing, promoting advocating and fostering the arts and arts culture, including but not limited to visual, performing, literary, culinary and applied arts within the City of Hoover. The Hoover Arts Council will serve as the direct liaison with the City Council on matters concerning the arts.

The 2<sup>nd</sup> reading and consideration for adoption will be on April 16, 2018.

Mr. Posey stated the Arts Council ordinance is in response to a large amount of community input and support for the arts culture within the City of Hoover. He thanked everyone who has been involved with the creation of the Arts Council.

14. **PAYMENT OF BILLS**

Mr. Lyda stated he had reviewed the bills and made a motion that the bills be paid as submitted. This motion was seconded by Mr. Greene. Mr. Smith called for questions from the Council or the audience. There being none, on voice vote the motion carried unanimously.

Mr. Murphy stated that Board of Education applicant interviews were held today and he looked forward to appointing the new member at the April 16, 2018 City Council meeting. The Education Committee will be meeting at 5:30 prior to the Council meeting.

Mr. Smith called for further comments or questions from the Council or the audience. Dr. Lopez stated that copies are available of the presentation given earlier in the meeting.

Mr. Rice stated that Celebrate Hoover Day will be held on the last Saturday in April at Veterans Park.

A motion was made by Mr. Lyda and seconded by Mr. Greene to adjourn. On voice vote the motion carried unanimously.

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Margie Handley  
City Clerk