

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
June 15, 2010**

The regular meeting of the City Council of the City of Florence, Alabama, was held in the City Hall Auditorium in Florence at 5:00 p.m., on Tuesday, June 15, 2010. President Barnhart called the meeting to order. Councilmember Morris gave the invocation and led in the Pledge of Allegiance. Robert M. Leyde, City Clerk, performed the roll call and noted that all six Councilmembers were present and a quorum was present with the following members of the City Council in attendance: Sam Pendleton, Jr., William D. Jordan, Hermon T. Graham, Barry Morris, James H. Barnhart and Andrew Betterton.

AMENDED AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

June 15, 2010

5:00 P.M.

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1. Meeting called to order - President Barnhart
 2. Invocation - Councilmember Morris
 3. Pledge of Allegiance
 4. Roll Call - President Barnhart
 5. Approval of Agenda
 6. Message from Mayor
 7. Reports of Department Heads
 8. Reports of Standing Committees
 9. Public Hearings:
 - (a) Rezoning – 2567 Mall Road from R-1 (Single-Family Residential District) to R-B (Residential Business District) as requested by Justin T. Goad.
 10. Business from floor pertaining to items on the consent and regular agenda (5-minute limit).
 11. Consent Agenda:

All matters listed within the Consent Agenda have been distributed to each member of the Florence City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request. Please call 760-6400 for questions on Consent Agenda items prior to the Council meeting.

- (a) Approval of minutes of the Regular Meeting held on June 1, 2010.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Valley View Metal Buildings, to provide labor, equipment, materials and incidentals necessary to install an electric roll-up door and walk in door on the boathouse for the Florence Fire Department fire/rescue boat at the Florence Harbor Marina, in the amount of \$5,875.00, to be paid from budgeted funds, sponsored by Charlie Cochran.
- (d) Resolution authorizing the City to enter into a contract with Wright's Marine Construction Company, to provide labor, equipment, materials and incidentals necessary to install a 2T22 boat lift for the Fire Department

fire/rescue boat at the Florence Harbor Marina, in the amount of \$6,224.00, to be paid from budgeted funds, sponsored by Charlie Cochran.

- (e) Resolution authorizing the City to enter into a contract with Gann's Discount Siding, Inc., to provide labor, equipment, materials and incidentals necessary to replace the roofs of shelters 2,4,&5 and the softball concession building at Veteran's Park, in the amount of \$15,500.00, to be paid from budgeted funds, sponsored by Todd Nix.
- (f) Resolution authorizing the City to enter into a contract with King and Associates General Contractors, Inc., to provide labor, equipment, materials and incidentals necessary for Renovations to the Operations Facilities for the Florence Utilities Electricity Department, in the amount of \$347,693.00, to be paid from budgeted funds, sponsored by Richard Morrissey.
- (g) Resolution authorizing the City to enter into a contract with BellSouth Telecommunications, Inc., DBA AT&T Southeast, to provide dedicated internet access to the City, sponsored by Steve Price.
- (h) Resolution authorizing the City to enter into a contract with GMS Testing, Inc., to provide geotechnical services for the proposed Broadway Street Sewer Replacement Project, in the amount of \$7,810.00, to be paid from budgeted funds, sponsored by Mike Doyle.
- (i) Resolution authorizing the City to enter into a contract with T. J. Construction, Inc., to provide labor, equipment, materials and incidentals necessary to perform repairs on the gas lines suspended under O'Neal Bridge, in the amount of \$10,925.40, to be paid from budgeted funds, sponsored by Mike Doyle.
- (j) Resolution authorizing the City to make application to the U.S. Department of Justice, Office of Justice Programs, for a 2010 Byrne Justice Assistance Grant (JAG) Program Award, sponsored by Rick Singleton.
- (k) Resolution authorizing the City to enter into an Interlocal Agreement with the County of Lauderdale regarding the 2010 Byrne Justice Assistance Grant (JAG) Program, sponsored by Rick Singleton.
- (l) Resolution authorizing the City to enter into a Water Purchase Contract with the East Lauderdale Water and Fire Protection Authority, sponsored by Mike Doyle.
- (m) Resolution to approve a Commitment Letter between the Alabama Water Pollution Control Authority and the City of Florence regarding the refinancing of Alabama Water Pollution Control Authority Revolving Fund Loan Bonds, Series 1999, sponsored by Vance Young.
- (n) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Ordinance to approve the conveyance of property pursuant to Section 11-47-20 of the Code of Alabama 1975, pursuant to the Contract for Sale of Real Property, sponsored by Bill Musgrove.
- (b) Ordinance to rezone the property located at 2567 Mall Road from R-1 (Single-Family Residential District) to R-B (Residential Business District) as requested by Justin T. Goad, sponsored by Melissa Bailey.
- (c) Resolution to call upon the President of the United States to exercise his full power and energy to preserve, protect, and defend the marshlands, beaches and wetlands of the states bordering the Gulf of Mexico due to millions of gallons of oil being released as a result of a severed pipe, sponsored by Councilmember Morris. **(This item was added to the Agenda during the earlier work session)**

13. General Business:

(a) Resolution authorizing the City to appropriate the following sums for the Gas Department Budget, reflecting projected revenues of \$19,289,100.00 and projected expenses of \$18,794,900.00 and the Water Department Budget, reflecting projected revenues of \$17,571,500.00 and projected expenses of \$14,646,600.00 for fiscal year ending June 30, 2011, and shall not appropriate an amount in excess of its annual legally authorized revenue, sponsored by Mayor Irons.

(b) Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Hospital Board	Thelma Robinson	07/01/1990	06/25/2010

14. Business from the public (5-minute time limit).

15. Council Members reports and/or comments (5-minute limit).

Councilmember Morris
Councilmember Betterton
Councilmember Pendleton
Councilmember Jordan
Councilmember Graham
Councilmember Barnhart

16. Motion to Adjourn.

President Barnhart asked for a motion for approval of the agenda. Councilmember Jordan moved for approval of the agenda. Councilmember Betterton seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

Message from the Mayor:

Mayor Irons announced the re-appointment of Mr. Thomas Lynn Foster as Commissioner of the Florence Housing Authority. Mayor Irons noted that the term for the appointment is 5 years and will expire June 14, 2015.

Mayor Irons made comments supporting the World Changers Organization. Mayor Irons recognized Mr. Tim Ray, Project Co-Ordinator for the Shoals area. Mayor Irons stated that the City of Florence has partnered with the World Changers Organization to provide structural improvements to low-income and elderly citizen's homes in Florence. Mayor Irons also stated that the labor is provided by volunteers who are 7th grade through college age students.

Reports of Department Heads:

Florence Police Chief Rick Singleton gave a summary of the Traffic Assessment Report. Chief Singleton stated that safety is a concern for our citizens. Chief Singleton also stated that there are many methods available to slow traffic in residential areas such as speed humps and stop signs. Chief Singleton stated that speeders in neighborhoods are most of the time the residents themselves. Chief Singleton also stated that in the last ten years there has been a 30% reduction in injury-related crashes due to the diligence of the Police Officers in the Crash Unit.

Councilmember Betterton thanked Police Chief Singleton and Bill Batson for their research on this report.

Chief Singleton stated that his department will continue to work with the City and State Engineers to develop more safe intersections.

Reports of Standing Committees:

Councilmember Graham gave a report of the Utilities Committee meeting that was held on June 3, 2010. The report follows, to wit:

Public Hearings:

President Barnhart noted that this is the date and time, as advertised, for a public hearing regarding the proposed rezoning of 2567 Mall Road from R-1 (Single-Family Residential District) to R-B (Residential Business District) as requested by Justin T. Goad.

Robert Muse, Assistant Planning Director, stated that the proposed rezoning received unanimous approval from the Florence Planning Commission. Mr. Muse noted that driveways and parking lots on Mall Road must be shared by adjoining property owners to reduce multiple curb cuts.

Councilmember Betterton asked if gravel driveways and parking lots were allowed. Mr. Muse stated that all driveways and parking lots must be paved.

President Barnhart noted that there were no comments from the public.

Business from the Floor Pertaining to Items on the Consent or Regular Agenda: None

Consent Agenda:

President Barnhart asked for a motion for approval of the Consent Agenda items. Councilmember Betterton moved for approval of (a) Approval of minutes of the Regular Meeting on June 1, 2010 and (b) Confirmation of payment of bills by the City Treasurer; and The ordinances and resolutions as follow, to-wit:

Councilmember Graham seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

Regular Agenda:

City Clerk, Robert M. Leyde, presented an Ordinance to approve the conveyance of property pursuant to Section 11-47-20 of the Code of Alabama 1975, pursuant to the Contract for Sale of Real Property, sponsored by Bill Musgrove. Said Ordinance follows, to wit:

Councilmember Pendleton moved for immediate consideration of the foregoing ordinance.

Councilmember Betterton seconded the motion. A vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

Councilmember Morris moved for adoption of the foregoing Ordinance. Councilmember Betterton seconded the motion.

There being no discussion, a vote taken on the motion resulted as follows:

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to rezone the property located at 2567 Mall Road from R-1 (Single-Family Residential District) to R-B (Residential Business District) as requested by Justin T. Goad, sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Graham moved for immediate consideration of the foregoing ordinance.

Councilmember Betterton seconded the motion. A vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

Councilmember Morris moved for adoption of the foregoing Ordinance. Councilmember Graham seconded the motion.

Discussion:

Councilmember Jordan thanked Robert Muse, Assistant Planning Director, and the Planning Department for their hard work.

There being no further discussion, a vote taken on the motion resulted as follows:

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to call upon the President of the United States to exercise his full power and energy to preserve, protect, and defend the marshlands, beaches and wetlands of the states bordering the Gulf of Mexico due to millions of gallons of oil being released as a result of a severed pipe, sponsored by Councilmember Morris. **(This item was added to the Agenda during the earlier work session)** Said Resolution follows, to wit:

Councilmember Pendleton moved for immediate consideration of the foregoing resolution.

Councilmember Jordan seconded the motion. A vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

Councilmember Pendleton moved for adoption of the foregoing resolution. Councilmember Jordan seconded the motion.

Discussion:

Councilmember Morris made comments in support of the resolution. Councilmember Morris stated that the purpose of the resolution is to attempt to focus on the disaster in the Gulf, not to place blame on any party. Councilmember Morris also stated that we need to publicly declare our support to our neighbors in the South.

Councilmember Graham made comments in opposition of the resolution. Councilmember Graham stated that in his opinion, the resolution was trying to tell the President how to do his job.

Councilmember Pendleton made comments in support of the resolution. Councilmember Pendleton stated that this disaster will affect all of us due to the decrease of tax revenue. Councilmember Pendleton also stated that he agrees with the phrasing of the resolution and that the oil spill is a man-made disaster created by a foreign country.

Councilmember Jordan thanked Councilmember Morris for drafting the resolution. Councilmember Jordan stated that this oil leak is a real tragedy.

President Barnhart made comments in opposition to the resolution. President Barnhart stated that this City Council was elected to govern the City of Florence and not to govern the actions of our state government or our President.

Councilmember Pendleton stated that the oil leak in the Gulf is a unique, negligent and catastrophic disaster created by man. Councilmember Pendleton also stated that nowhere in history has there been a natural disaster involving oil flowing into a body of water. Councilmember Pendleton stated that this is a man-made disaster and that British Petroleum should step up and do the right thing. Councilmember Pendleton also stated that all bodies of governments should get involved.

City of Florence, Al
Minutes of City Council
June 15, 2010

There being no further discussion, a vote taken on the motion resulted as follows:

Ayes: Sam Pendleton, Jr.
William D. Jordan
Barry Morris
Andrew Betterton

Noes: Hermon T. Graham
James H. Barnhart

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to appropriate the following sums for the Gas Department Budget, reflecting projected revenues of \$19,289,100.00 and projected expenses of \$18,794,900.00 and the Water Department Budget, reflecting projected revenues of \$17,571,500.00 and projected expenses of \$14,646,600.00 for fiscal year ending June 30, 2011, and shall not appropriate an amount in excess of its annual legally authorized revenue, sponsored by Mayor Irons. Said Resolution follows, to wit:

Councilmember Graham moved for immediate consideration of the foregoing resolution.

Councilmember Pendleton seconded the motion. A vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

Councilmember Betterton moved for adoption of the foregoing resolution. Councilmember Pendleton seconded the motion.

Discussion:

Councilmember Pendleton stated that there is good management in these departments.

Councilmember Jordan thanked Vance Young, Utilities Controller, and Mike Doyle, Manager of Water & Gas Department, for their hard work on this budget.

There being no further discussion, a vote taken on the motion resulted as follows:

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

Board Openings:

President Barnhart noted that Ms. Thelma Robinson was re-nominated for the Hospital Board today at the earlier work session and that nomination will appear on the agenda for approval at the next City Council meeting.

(b) Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Hospital Board	Thelma Robinson	07/01/1990	06/25/2010

Business from the Public (5-minute time limit):

Mr. Billy Ray Simpson, 1738 Ingleside Avenue, appeared and made comments in support of the World Changers Organization working in Florence. Mr. Simpson thanked the City for partnering with this organization. Mr. Simpson stated that young people working together to help those in need reflects a positive image in our neighborhoods.

Council Reports and/or Comments:

Councilmember Morris made comments in support of the World Changers Organization. Councilmember Morris thanked Mr. Tim Ray for his work with this organization.

Councilmember Morris made comments regarding a recent article published in the Times Daily regarding Bass Pro Shops. Councilmember Morris noted that publicly subsidizing Bass Pro has not proven to be financially sound.

Councilmember Betterton complimented Mike Doyle, Gas and Water Department Manager, Vance Young, Utilities Controller, and their departments for their hard work.

Councilmember Betterton thanked Police Chief Singleton and Bill Batson, City Engineer, and their departments for the Traffic Assessment report.

Councilmember Betterton made comments in support of Mr. Tim Ray and the World Changers Organization.

Councilmember Pendleton thanked Councilmember Betterton for his service in the community and his church.

Councilmember Pendleton made comments in support of the World Changers Organization. Councilmember Pendleton stated that West Florence is greatly benefitting from the work that comes from this organization.

Councilmember Pendleton recognized the Alabama Funeral Home Directors and Morticians Conference that is being held here this week.

Councilmember Pendleton stated that President Barnhart and Councilmember Graham are both supporters of unions and are consistent with their votes regarding these matters.

Councilmember Jordan made comments regarding graffiti appearing in District 2 and noted that Mr. Jackie Hendrix is starting a Neighborhood Watch Program in this area.

Councilmember Jordan made positive comments regarding World Changers and Habitat for Humanity.

City of Florence, AL
Minutes of City Council
June 15, 2010

Councilmember Graham thanked Mike Doyle, Gas and Water Department Manager, and Vance Young, Utilities Controller, for their professionalism. Councilmember Graham also thanked Police Chief Singleton and the World Changers Organization.

President Barnhart had no comments.

Councilmember Betterton made a motion to adjourn the meeting. Councilmember Graham seconded the motion. A vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.
William D. Jordan
Hermon T. Graham
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

Councilmember Betterton presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK

