



**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
NOVEMBER 3, 2015**

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, November 3, 2015. President Jordan called the meeting to order. President Jordan gave the invocation and led in the Pledge of Allegiance. Robert M. Leyde, City Clerk, performed the roll call and noted that six Councilmembers were present and a quorum was present with the following members of the City Council in attendance: Dave Smith, William D. Jordan, Hermon T. Graham, Barry Morris, Blake Edwards and Andrew Betterton.

AMENDED AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

NOVEMBER 3, 2015

5:00 P.M.

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1. Meeting called to order - President Jordan
 2. Invocation - President Jordan
 3. Pledge of Allegiance
 4. Roll Call - President Jordan
 5. Approval of Agenda
 6. Message from Mayor
 7. Reports of Department Heads
 8. Reports of Standing Committees
 9. Public Hearings: Proposed rezoning of property located North of the Huntsville Road/East Lakeside Drive intersection, to be rezoned from R-1 (Single-Family Residential District) to B-2 (General Business District), as requested by Owen Keeton, Jr.
 10. Business from floor pertaining to items on the consent and regular agenda (5-minute time 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 256-760-6400 for questions on Consent Agenda items prior to the Council meeting.

- (a) Approval of minutes of the October 20, 2015, meeting.

- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Shotcrete of America, LLC, to provide labor, equipment, materials and incidentals necessary to rehabilitate the box culvert on Sweetwater Avenue near Foust Drive, in the amount of \$27,750.00, to be paid from budgeted Gas Tax Funds, sponsored by Bill Batson.
- (d) Resolution authorizing the City to enter into a contract with Civil Group, LLC, for professional construction engineering and inspection services for ALDOT Project No. ACBRZ61360-ATRP(016) Bridge Replacement on Mars Hill Road, in the amount of \$49,322.00, to be paid from budgeted funds, Fund 188 Account #954-48143, sponsored by Bill Batson.
- (e) Resolution authorizing the City to enter into a contract with Keeton Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary to upgrade the electrical system at the Recycle Center for the operation of the magnet, trommel and film system, in the amount of \$7,732.00, to be partially funded through ADEM Grant #ARF14-01-079 and paid from budgeted funds expensed in fiscal year 2015, Account #16401-43125, sponsored by David Koonce. **(This item was moved to Regular Agenda Item 12 (d))**
- (f) Resolution authorizing the City to enter into a contract with Engineers of the South, LLC, for professional engineering services for landfill sanitary sewer improvements, in the amount of \$6,600.00, to be expensed to Account #256-43200, sponsored by David Koonce.
- (g) Resolution authorizing the City to enter into a contract with A-1 Fence Company, Inc., to provide labor, equipment, materials and incidentals necessary to install approximately 106' of 6' chain link fence with green slats inserted at the Indian Springs wastewater lift station on Bainbridge Road, in the amount of \$2,521.00, to be paid from budgeted funds, Account #380.00 - Treatment & Disposal, sponsored by Mike Doyle.
- (h) Resolution authorizing the City to enter into a contract with the Shoals Chamber of Commerce to advertise and promote the City, sponsored by Mayor Haddock and the Council.
- (i) Resolution to approve the attached Reciprocal Easement Agreement among the City of Florence, Lauderdale County, and Wood Avenue Church of Christ for use of the parking lot at the Florence-Lauderdale Public Library, sponsored by Bill Musgrove.
- (j) Resolution to approve the attached asset allocation recommendations for the City Employees' Retirement Plan submitted by Morgan Stanley Smith Barney LLC, sponsored by Dan Barger.
- (k) Resolution to approve the attached Reimbursable Agreement for Relocation of Utility Facilities on Private or Public Right-of-way, Project Number NHF-0013 (535), between the City of Florence and the Alabama Department of Transportation, for the relocation of electrical facilities regarding the widening of U.S. Highway 43 from Highway 64 to County Road 140, in the amount of \$507,289.96, to be reimbursed by ALDOT, sponsored by Richard Morrissey.
- (l) Resolution to approve the attached Reimbursable Agreement for Relocation of Utility Facilities on Private or Public Right-of-way, Project Number NHF-0013 (551), between the City of Florence and the Alabama Department of Transportation, for the relocation of electrical facilities regarding the widening of U.S. Highway 43 from County Road 140 to the Tennessee State Line, in the amount of \$728,428.79, to be reimbursed by ALDOT, sponsored by Richard Morrissey.
- (m) Resolution to advance and reimburse travel expenses to City employees, sponsored by Mayor Haddock.

12. Regular Agenda:

- (a) Ordinance to amend Article IV of Chapter 4 of the Code of Florence, Alabama, Section 4-85 Registration required; fee, regarding pet registration fees, sponsored by Vinny Grosso. DID NOT RECEIVE VOTE FOR IMMEDIATE CONSIDERATION AT THE OCTOBER 20, 2015, COUNCIL MEETING.

- (b) Ordinance to rezone the property located North of the Huntsville Road/East Lakeside Drive intersection, from R-1 (Single Family Residential District) to B-2 (General Business District), as requested by Owen Keeton, Jr., sponsored by Melissa Bailey.
- (c) Resolution authorizing the City to enter into a indemnifying release agreement with RCHP-Florence, LLC, allowing the Florence Police Department to use various properties and unoccupied house houses and buildings for training purposes, sponsored by Bill Musgrove. **(This item was added to the Regular Agenda)**
- (d) Resolution authorizing the City to enter into a contract with Keeton Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary to upgrade the electrical system at the Recycle Center for the operation of the magnet, trommel and film system, in the amount of \$7,732.00, to be partially funded through ADEM Grant #ARF14-01-079 and paid from budgeted funds expensed in fiscal year 2015, Account #16401-43125, sponsored by David Koonce. **(This item was moved from Consent Agenda Item 11 (e))**

13. General Business:

- (a) Resolution - Alcohol Beverage License Application for a Full-Menu Restaurant with On-Premises Liquor-Beer-Wine by FLORENCE GC 306, LLC, d/b/a FLORENCE 306, located at 322 NORTH COURT STREET, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (b) Resolution - Alcohol Beverage License Application for the operation of a Specialty Beverage Store with Off-Premises Beer-Wine by FLORENCE WINE SELLER INC, d/b/a THE WINE SELLER INC, located at 218 NORTH COURT STREET SPACE C, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (c) Resolution - Alcohol Beverage License Application for the operation of an Automobile Self-Service Station & Convenience Foods Store with Off-Premises Beer-Wine by CIRCLE K STORES INC., d/b/a CIRCLE K STORES 2723689, located at 602 COX CREEK PARKWAY FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (d) Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Beautification	Scott Townsend	12/07/10	11/01/15
	Susan Burdine	12/01/09	11/01/15
	Virginia Reed Gooch	12/18/12	11/01/15
	Susan Williams	12/18/12	11/01/15
Historical	Kenneth Johnson	03/24/09	12/17/15
	Robert Steen	01/19/10	12/17/15
Housing/Const	Adam Burchell	06/19/12	09/30/15
	Jack Reid	09/06/05	09/30/15
	William Wynne	09/06/05	09/30/15
	Thomas Pigg	09/06/05	09/30/15
Parks & Rec	Mike Williams	12/01/09	10/30/14
SCOPE 310	Josh Webster Vacancy	08/21/12	07/21/15
Tree Commission	Lavetta Adams	01/02/07	11/03/15
	Nancy Muse	05/01/07	11/03/15
	Kevin Jangaard	09/16/08	11/03/15

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

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

Council member Betterton
Council member Smith
Council member Graham
Council member Morris
Council member Edwards
Council member Jordan

16. Motion to Adjourn.

President Jordan noted that it was decided at the earlier work session to add Regular Agenda Item 12 (c) Resolution authorizing the City to enter into an indemnifying release agreement with RCHP-Florence, LLC, allowing the Florence Police Department to use various properties, unoccupied houses and buildings for training purposes, sponsored by Bill Musgrove and to move Consent Agenda Item 11 (e) Resolution authorizing the City to enter into a contract with Keeton Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary to upgrade the electrical system at the Recycle Center for the operation of the magnet, trommel and film system, in the amount of \$7,732.00, to be partially funded through ADEM Grant #ARF14-01-079 and paid from budgeted funds expensed in fiscal year 2015, Account #16401-43125, sponsored by David Koonce to Regular Agenda Item 12 (d).

There being no further changes, President Jordan asked for a motion for approval of the agenda. Councilmember Betterton moved for approval of the agenda. Councilmember Graham seconded the motion.

There being no discussion, a vote taken thereon resulted as follows:

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

Message from the Mayor:

Mayor Haddock noted that "First Friday" is this week and encouraged everyone to come out and take part in the festivities. Mayor Haddock further noted that Mainstreet is now accepting applications for the downtown Christmas Parade. Mayor Haddock reminded everyone that "Veterans Day" is Wednesday, November 11. Mayor Haddock stated that there will be a ceremony honoring all Veterans in Veterans Park at 11:00 a.m.

Report of Department Heads:

Police Chief Ron Tyler presented Live-Saving medals to Sgt. Randall Holt, Officer Michael Price, Officer Michael South, Officer Tyler Melton and Officer Tyler Oliver. Chief Tyler stated that the officers entered a burning house to rescue one of the residents who were trapped inside along with their pets. Chief Tyler further noted that once the resident was removed from the burning house, Sgt. Holt and Officer Price began administering medical aid to the resident until Fire and Rescue arrived.

Report of Standing Committee: None

Public Hearing:

President Jordan noted that this is the day and time advertised for a public hearing regarding the proposed rezoning of property located North of the Huntsville Road/East Lakeside Drive intersection to be rezoned from R-1 (Single-Family Residential District) to B-2 (General Business District) as requested by Owen Keeton, Jr.

Melissa Bailey, Planning Director, appeared and noted that the proposed rezoning was unanimously recommended by the Planning Commission. There were no comments from the public or the City Council. President Jordan closed the public hearing.

Business from the Floor Pertaining to Items on the Consent or Regular Agenda:

Mr. Dave Summy, 124 County Road 28, appeared and made comments regarding Regular Agenda Item 12 (a) Ordinance to amend Article IV of Chapter 4 of the Code of Florence, Alabama, Section 4-85 Registration required; fee, regarding pet registration fees, sponsored by Vinny Grosso. Mr. Summy stated that the first pet licensing program was adopted in November 2103 and was to begin in May 2014. Mr. Summy further stated that a number of meetings took place with Chief Tyler, Vinny Grosso and members of PAWS before implementing the ordinance. Mr. Summy noted that at that time, if your animal was picked up by Animal Control, a license was to be added to the redemption fee before you could pick up your animal. Mr. Summy stated that the intent of money from the licensing was to help cover the cost of spaying and neutering. Mr. Summy further stated that he hopes this continues to be the case with the adoption of a revised pet licensing ordinance.

Consent Agenda:

President Jordan asked for a motion for approval of the Consent Agenda items. Councilmember Betterton moved for approval of 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: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to amend Article IV of Chapter 4 of the Code of Florence, Alabama, Section 4-85 Registration required; fee, regarding pet registration fees, sponsored by Vinny Grosso. Said Ordinance follows, to wit:

The proposed ordinance did not receive a vote for immediate consideration at the October 20, 2015, therefore, a motion for adoption is all that is required.

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

Discussion:

Councilmember Morris stated that the ordinance that was approved in 2013 and the proposed ordinance is virtually identical. Councilmember Morris further stated that we have not done what the original ordinance states regarding the use of funds.

President Jordan presented a proposed breakdown of how the funds collected from the increased pet license will be used. The proposed breakdown, follows to wit:

President Jordan stated that the proposed use was submitted by Mayor Haddock and Animal Control Director, Vinny Grosso.

Councilmember Betterton stated that Melissa Bailey, Planning Director is working on grant money to assist with this.

Councilmember Smith thanked Councilmember Graham and President Jordan for working with the Safety Committee on rewriting this ordinance. Councilmember Smith stated that with this new ordinance, Animal Control can now go out and enforce this ordinance. Councilmember Smith further stated that the ordinance adopted in 2013 did not specify a penalty for failing to purchasing a pet license.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to rezone the property located North of the Huntsville Road/East Lakeside Drive intersection, from R-1 (Single Family Residential District) to B-2 (General Business District), as requested by Owen Keeton, Jr., sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing Ordinance.

Councilmember Smith seconded the motion.

Discussion:

Councilmember Betterton made comments in favor of the proposed ordinance.

Councilmember Betterton noted that it is exciting to see what is taking place in Florence.

President Jordan stated that he excited to see what Mr. Keeton has planned to expand his business.

Councilmember Graham stated that he appreciates what Mr. Keeton has brought to Florence.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into a indemnifying release agreement with RCHP-Florence, LLC, allowing the Florence Police Department to use various properties and unoccupied house houses and buildings for training purposes, sponsored by Bill Musgrove. Said Resolution follows, to wit:

Councilmember Graham moved for immediate consideration of the foregoing Resolution.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Smith moved for adoption of the foregoing Resolution. Councilmember Graham seconded the motion.

Discussion:

Councilmember Graham noted that the Police Department wants to do training.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into a contract with Keeton Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary to upgrade the electrical system at the Recycle Center for the operation of the magnet, trommel and film system, in the amount of \$7,732.00, to be partially funded through ADEM Grant #ARF14-01-079 and paid from budgeted funds expensed in fiscal year 2015, Account #16401-43125, sponsored by David Koonce. Said Resolution follows, to wit:

Councilmember Graham moved for immediate consideration of the foregoing Resolution.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Smith moved for adoption of the foregoing Resolution. Councilmember Graham seconded the motion.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards

Noes: None

Abstain: Andrew Betterton

City Clerk, Robert M. Leyde, presented a Resolution - Alcohol Beverage License Application for a Full-Menu Restaurant with On-Premises Liquor-Beer-Wine by FLORENCE GC 306, LLC, d/b/a FLORENCE 306, located at 322 NORTH COURT STREET, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Smith moved for immediate consideration of the foregoing Resolution.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing Resolution.

Councilmember Betterton seconded the motion.

Discussion:

President Jordan noted that the proposed resolution is to approve alcohol for a new restaurant that will be located in the former McCorkles Furniture building.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution - Alcohol Beverage License Application for the operation of a Specialty Beverage Store with Off-Premises Beer-Wine by FLORENCE WINE SELLER INC, d/b/a THE WINE SELLER INC, located at 218 NORTH COURT STREET SPACE C, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Morris moved for adoption of the foregoing Resolution.

Councilmember Smith seconded the motion.

Discussion:

President Jordan noted that the Wine Seller is moving into Court Street Market.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution - Alcohol Beverage License Application for the operation of an Automobile Self-Service Station & Convenience Foods Store with Off-Premises Beer-Wine by CIRCLE K STORES INC., d/b/a CIRCLE K STORES 2723689, located at 602 COX CREEK PARKWAY FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Smith moved for immediate consideration of the foregoing Resolution.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Betterton moved for adoption of the foregoing Resolution.

Councilmember Smith seconded the motion.

Discussion:

President Jordan noted that the Kangaroo Station has a new owner.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Beautification	Scott Townsend	12/07/10	11/01/15
	Susan Burdine	12/01/09	11/01/15
	Virginia Reed Gooch	12/18/12	11/01/15
	Susan Williams	12/18/12	11/01/15
Historical	Kenneth Johnson	03/24/09	12/17/15
	Robert Steen	01/19/10	12/17/15
Housing/Const	Adam Burchell	06/19/12	09/30/15
	Jack Reid	09/06/05	09/30/15
	William Wynne	09/06/05	09/30/15
	Thomas Pigg	09/06/05	09/30/15
Parks & Rec	Mike Williams	12/01/09	10/30/14
SCOPE 310	Josh Webster	08/21/12	07/21/15
	Vacancy		
Tree Commission	Lavetta Adams	01/02/07	11/03/15
	Nancy Muse	05/01/07	11/03/15
	Kevin Jangaard	09/16/08	11/03/15

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

Mr. Derrick Swanson, 806 East Limestone Street, appeared and made comments regarding the homeless population in Florence. Mr. Swanson asked the Council to consider building a homeless shelter.

Mr. Ron Day, appeared and asked the Council to consider naming the disc golf course located at Veterans Park the "Robertson Memorial Course."

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made general comments regarding convicted felons trying to find jobs.

Council Reports and Comments:

Councilmember Betterton expressed his appreciation to "First Responders." Councilmember Betterton also expressed his appreciation to the "Homeless Care Council."

Councilmember Smith noted that he would like to see the City build a new homeless shelter. Councilmember Smith reminded everyone of the Veterans Day program that will be held on Wednesday, November 11 at Veterans' Park at 11:00 a.m.

Councilmember Graham also expressed his appreciation to the Police Officers that were recognized tonight. Councilmember Graham stated that he would like to see a new homeless shelter built in the City.

Councilmember Morris thanked the Police Officers that were honored tonight.

Councilmember Edwards noted that the City does have a homeless population.

Councilmember Edwards also commended the Police Officers that were honored tonight.

Councilmember Edwards also reminded everyone of “First Friday” this week and also the Veterans Day program in Veterans Park.

President Jordan also commended the Police Officers that were honored tonight.

Councilmember Betterton presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK