

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
AUGUST 2, 2011**

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, August 2, 2011. President Barnhart called the meeting to order. Councilmember Betterton 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: Sam Pendleton, Jr., William D. Jordan, Hermon T. Graham, Barry Morris, James Barnhart and Andrew Betterton.

AMENDED AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

August 2, 2011

5:00 P.M.

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1. Meeting called to order - President Barnhart
 2. Invocation - Councilmember Betterton
 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: None
 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 760-6400 for questions on Consent Agenda items prior to the Council meeting.

- (a) Approval of minutes of the Regular Meeting held on July 19, 2011. **(This item was moved to Regular Agenda Item 12 (f))**
- (b) Confirm payment of bills by the City Treasurer. **(This item was moved to Regular Agenda Item 12 (g))**
- (c) Resolution authorizing the City to enter into a contract with Certified Alarm Company of Alabama, Inc., to provide labor, equipment, materials and incidentals necessary to install a fire alarm system in the press box, west concourse area, west concession stands and west restroom at Braly Municipal Stadium, in the amount of \$9,027.94, to be paid by UNA and the Florence City Schools, sponsored by Todd Nix.

- (d) Resolution authorizing the City to enter into a contract with Irons Electric Company, Inc., to provide labor, equipment, materials, and incidentals necessary to install the necessary electrical work for a fire alarm system in the press box, west concourse area, west concession stands and west restrooms at Braly Municipal Stadium, in the amount of \$10,708.00, to be paid by UNA and the Florence City Schools, sponsored by Todd Nix. **(This item was moved to Regular Agenda Item 12 (h))**
- (e) Resolution authorizing the City to enter into a contract with Custom Building Systems, Inc., to provide labor, equipment, materials and incidentals necessary to remove and replace the roof, replace vinyl siding and clean up at the Maud Lindsey Free Kindergarten, in the amount of \$13,000.00, to be paid from budgeted Community Development Funds, sponsored by Melissa Bailey.
- (f) Resolution authorizing the City to enter into a contract with Gist Excavating, Inc., to provide labor, equipment, materials and incidentals necessary to demolish all structures, level the surface and dispose fully of all debris for twenty addresses, in the amount of \$48,500.00, to be paid from budgeted Community Development Funds, sponsored by Melissa Bailey. **(This item was moved to Regular Agenda Item 12(e))**
- (g) Resolution authorizing the City to approve a Letter of Intent with the Alabama Emergency Management Agency, Hazard Mitigation Grant Program, with 25% matching funds to be paid from budgeted funds 1147-42100, sponsored by Rick Singleton.
- (h) Resolution authorizing the City to enter into an Agreement with the North Alabama Council of Local Governments (NACOLG) to provide technical assistance and other services necessary to develop plans for redistricting City Council districts, in an amount not to exceed \$8,500.00, to be paid from 398-41112, sponsored by Bill Musgrove and Bob Leyde. **(This item was moved to Consent Agenda Item 12 (i))**
- (i) Resolution to reappoint Darlene Ballard as a member of the Florence-Lauderdale County Port Authority Board of Directors, sponsored by the City Council.
- (j) Resolution to appoint J. B. Webb to the Florence Beautification Board, sponsored by the City Council.
- (k) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Resolution authorizing the City of Florence and Shoals Area to develop a simple written Economic Development and Recruitment Plan with a Sense of Purpose, sponsored by Sam Pendleton.
- (b) Resolution authorizing the City to engage White, Lynn & Collins to perform a professional survey of the property formerly known as the Florence Golf and Country Club and the property on which the current Florence landfill is located, to be paid from the Solid Waste Fund, sponsored by Sam Pendleton.
- (c) Resolution to increase the level of funding for the Florence-Lauderdale Public Library to \$788,000.00, in the proposed General Fund Budget for fiscal year ending September 30, 2012, sponsored by Councilmembers Jordan, Morris and Pendleton.
- (d) Resolution authorizing the City to approve a letter of intent between the Alabama Emergency Management Agency, Hazard Mitigation Grant Program, and the City of Florence, with 25% matching funds to be paid in fiscal year 2012 budgeted funds, sponsored by Chief Cochran. **(This item was added to the Regular Agenda)**
- (e) Resolution authorizing the City to enter into a contract with Gist Excavating, Inc., to provide labor, equipment, materials and incidentals necessary to demolish all structures, level the surface and dispose fully of all debris for twenty addresses, in the amount of \$48,500.00, to be paid from budgeted Community Development Funds, sponsored by Melissa Bailey. **(This item was moved from Consent Agenda Item 11 (f))**
- (f) Approval of minutes of the Regular Meeting held on July 19, 2011. **(This item was moved from Consent Agenda Item 11 (a))**

- (g) Confirm payment of bills by the City Treasurer. **(This item was moved from Consent Agenda Item 11 (b))**

- (h) Resolution authorizing the City to enter into a contract with Irons Electric Company, Inc., to provide labor, equipment, materials, and incidentals necessary to install the necessary electrical work for a fire alarm system in the press box, west concourse area, west concession stands and west restrooms at Braly Municipal Stadium, in the amount of \$10,708.00, to be paid by UNA and the Florence City Schools, sponsored by Todd Nix. **(This item was moved from Consent Agenda Item 11(d))**

- (i) Resolution authorizing the City to enter into an Agreement with the North Alabama Council of Local Governments (NACOLG) to provide technical assistance and other services necessary to develop plans for redistricting City Council districts, in an amount not to exceed \$8,500.00, to be paid from 398-41112, sponsored by Bill Musgrove and Bob Leyde. **(This item was moved from Consent Agenda Item 11(h))**

13. General Business:

- (a) Resolution approving the amended General Fund Budget F/Y/E September 30, 2011, as detailed in Exhibit "A", sponsored by Mayor Irons and Dan Barger.

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Adjustments & Appeals	William T. Wynne	09/06/05	09/30/11
	Thomas G. Pigg	09/06/05	09/30/11
	Fitzgerald Hill	09/06/05	09/30/11
Beautification Board 2 - Vacancies			
Park & Recreation	Jimmy H. Williams	07/02/02	10/30/11
	Mansfield "Pete" Key	12/19/06	10/30/11
SEDA	Martin R. Abroms	12/18/08	09/30/11
	Hermon Graham	07/06/06	09/30/11

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

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

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

16. Motion to Adjourn.

President Barnhart asked City Clerk, Robert M. Leyde to read the changes to the agenda. Mr. Leyde noted that a Resolution authorizing the City to approve a letter of intent between the Alabama Emergency Management Agency, Hazard Mitigation Grant Program, and the City of Florence, with 25% matching funds to be paid in fiscal year 2012 budgeted funds, sponsored by Chief Cochran was added to the Regular Agenda Item 12 (d). President Barnhart also noted that Consent Agenda Item 11 (f) Resolution authorizing the City to enter into a contract with Gist Excavating, Inc., to provide labor, equipment, materials and incidentals necessary to demolish all structures, level the surface and dispose fully of all debris for twenty addresses, in the amount of \$48,500.00, to be paid from budgeted Community Development Funds, sponsored by Melissa Bailey was moved to the Regular Agenda Item 12 (e), Consent Agenda Item 11 (a) Approval of minutes of the Regular Meeting held on July 19, 2011 was moved to the Regular Agenda Item 12 (f), Consent Agenda Item 11 (b) Approval of minutes of the Regular Meeting held on July 19, 2011 was moved to the Regular Agenda Item 12 (g), Consent Agenda Item 11 (d) Resolution authorizing the City to enter into a contract with Irons Electric Company, Inc., to provide labor, equipment, materials, and incidentals necessary to install the necessary electrical work for a fire alarm system in the press box, west concourse area, west concession stands and west restrooms at Braly Municipal Stadium, in the amount of \$10,708.00, to be paid by UNA and the Florence City Schools, sponsored by Todd Nix was moved to the Regular Agenda Item 12 (h) and Consent Agenda Item 11 (h) Resolution authorizing the City to enter into an Agreement with the North Alabama Council of Local Governments (NACOLG) to provide technical assistance and other services necessary to develop plans for redistricting City Council districts, in an amount not to exceed \$8,500.00, to be paid from 398-41112, sponsored by Bill Musgrove and Bob Leyde was moved to Regular Agenda Item 12 (I).

President Barnhart asked for a motion for approval of the amended agenda. Councilmember Betterton moved for approval of the agenda. Councilmember Graham seconded the motion.

Discussion:

Councilmember Pendleton made comments regarding other Councilmembers not wanting him to speak by trying to call him out of order. Councilmember Pendleton stated that this is America and that he has the right to speak. Councilmember Pendleton stated that he does not want to be a real estate agent for UNA. Councilmember Pendleton stated that he does not want a City Councilmember trying to do President Barnhart's job.

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

Ayes:	Sam Pendleton, Jr. William D. Jordan Hermon T. Graham James H. Barnhart Barry Morris Andrew Betterton
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Noes:	None
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Message from the Mayor:

Mayor Irons presented a Proclamation designating August 2, 2011, as “National Night Out”. Mayor Irons noted that “National Night Out” is an annual event sponsored by the Florence Police Department and Target to focus on crime prevention. This Proclamation was presented to Captain Jim Curtis, Florence Police Department.

Mayor Irons recognized the newly promoted Deputy Fire Chief Jeffrey Perkins. Mayor Irons stated that Deputy Chief Perkins began his career with the Florence Fire and Rescue in 1991 and was promoted to Chief of Fire Prevention in 2002. Mayor Irons also stated that Deputy Chief Perkins continues to be a great asset to our City.

Mayor Irons also recognized Dan Barger, Chief Accountant/Treasurer, for recently completing an 80 hour professional certification program and is now a Certified Revenue Examiner.

Mayor Irons recognized three new businesses that have recently opened in the downtown area. Mayor Irons noted that the new businesses are Makadoos Yogurt Shop, Unraveled Yarn & Gift Shop and Flo-Bama Restaurant. Mayor Irons stated that he appreciates the owners’ investment in our area.

Mayor Irons gave a sales tax up-date. Mayor Irons noted that sales tax revenue improved again in June by 6.4% which gives us a net gain of 5% over last year’s revenue for the same period. Mayor Irons stated that this is very encouraging for our area since revenue has increased each month for the past 14 months and new businesses continue to open.

Councilmember Pendleton made comments in support of Deputy Fire Chief Jeff Perkins regarding his recent promotion.

Reports of Department Heads: None

Reports of Standing Committees: None

Public Hearing: None

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

Mr. John Crowder, 421 Knottingham Road, appeared and made comments regarding Consent Agenda Item 11 (c) Resolution authorizing the City to enter into a contract with Certified Alarm Company of Alabama, Inc., to provide labor, equipment, materials and incidentals necessary to install a fire alarm system in the press box, west concourse area, west concession stands and west restroom at Braly Municipal Stadium, in the amount of \$9,027.94, to be paid by UNA and the Florence City Schools, sponsored by Todd Nix and Regular Agenda Item 12 (h) Resolution authorizing the City to enter into a contract with Irons Electric Company, Inc., to provide labor, equipment, materials, and incidentals necessary to install the necessary electrical work for a fire alarm system in the press box, west concourse area, west concession stands and west restrooms at Braly Municipal Stadium, in the amount of \$10,708.00, to be paid by UNA and the Florence City Schools, sponsored by Todd Nix. Mr. Crowder stated that he is not opposed to the contracts but that more detail is needed regarding the two contracts for Braly Stadium. Mr. Crowder stated these are very unusual circumstances because the City is not paying for these services. Mr. Crowder noted that the contracts state that UNA and the Florence City Schools are paying for these services.

Mr. John Hargett, North Wood Avenue, appeared and made comments regarding Regular Agenda Item 12 (a) Resolution authorizing the City of Florence and Shoals Area to develop a simple written Economic Development and Recruitment Plan with a Sense of Purpose, sponsored by Sam Pendleton. Mr. Hargett stated that government needs to stay out of economic planning. Mr. Hargett asked the City Council to try to abolish the ½ cent sales tax that Lauderdale County has imposed and earmarked for economic development.

Councilmember Pendleton made comments in support of Regular Agenda Item 12 (a). Councilmember Pendleton stated that this resolution is a state-of-mind and that there is no cost.

Mr. A. W. Hargett, 107 Creekwood Circle, appeared and made comments regarding Regular Agenda Item 12 (a) Resolution authorizing the City of Florence and Shoals Area to develop a simple written Economic Development and Recruitment Plan with a Sense of Purpose, sponsored by Sam Pendleton. Mr. Hargett stated that this resolution needs to be expanded on because it appears to be shallow.

Mr. Hargett also made comments regarding Regular Agenda Item 12 (b) Resolution authorizing the City to engage White, Lynn & Collins to perform a professional survey of the property formerly known as the Florence Golf and Country Club and the property on which the current Florence landfill is located, to be paid from the Solid Waste Fund, sponsored by Sam Pendleton. Mr. Hargett stated that there is a survey already in place and that the City should not pay for another survey. Mr. Hargett also stated that this should at least be postponed.

Councilmember Pendleton asked City Attorney, Bill Musgrove, if the City has a survey of the former Florence Golf & Country Club property.

Consent Agenda:

President Barnhart asked for a motion for approval of the Consent Agenda items. Councilmember Graham moved for approval of the ordinances and resolutions as follow, to-wit:

Councilmember Betterton seconded the motion. There being no discussion, 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

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City of Florence and the Shoals Area to develop a simple written Economic Development and Recruitment Plan with a Sense of Purpose, sponsored by Sam Pendleton. Said Resolution follows, to wit:

Councilmember Jordan moved for immediate consideration of the foregoing resolution.

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

Ayes: Sam Pendleton, Jr.
Hermon Graham
James H. Barnhart
Andrew Betterton

Noes: William D. Jordan
Barry Morris

Discussion:

Councilmember Jordan stated that he had not reviewed the proposed resolution and economic plan prior to tonight's meeting.

This item did not receive unanimous consent, therefore it will carry over until the next City Council meeting.

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to engage White, Lynn & Collins to perform a professional survey of the property formerly known as the Florence Golf and Country Club and the property on which the current Florence landfill is located, to be paid from the Solid Waste Fund, sponsored by Sam Pendleton. Said Resolution follows, to wit:

Councilmember Jordan moved for immediate consideration of the foregoing resolution.

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

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

Noes: Barry Morris

This item did not receive unanimous consent, therefore it will carry over until the next City Council meeting.

City Clerk, Robert M. Leyde, presented a Resolution to increase the level of funding for the Florence-Lauderdale Public Library to \$788,000.00, in the proposed General Fund Budget for fiscal year ending September 30, 2012, sponsored by Councilmembers Jordan, Morris and Pendleton.

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.
William D. Jordan
Hermon T. Graham
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 Pendleton made comments in favor of the proposed resolution. Councilmember Pendleton stated that Mayor Irons gave a report tonight that the economy is growing.

Councilmember Betterton noted that his only concern is if we can afford to do this. Councilmember Betterton stated that he is in support of the increase.

Councilmember Jordan made comments in favor of the proposed resolution. Councilmember Jordan stated that we need to fund the library so it can reach its full potential in serving the public.

Councilmember Morris made comments in favor of the proposed resolution. Councilmember Morris stated that we can not possibly fund everything, but the library is a vital part of the community. Councilmember Morris stated that after looking at the numbers, we can certainly afford to increase funding.

President Barnhart relinquished the chair to President Pro Tem Graham.

President Barnhart made comments in opposition to the proposed resolution. President Barnhart noted that Ms. Sanford, Library Director, stated that this money is needed to give the employees at the library a pay raise. President Barnhart stated that to support this resolution is to slap every City employee in the face because the City employees will probably not be getting a cost of living raise this budget year. President Barnhart also stated that by voting in favor of the proposed resolution, we are preempting Mayor Iron's job.

Councilmember Graham made comments in opposition to the proposed resolution. Councilmember Graham stated that he was in agreement with President Barnhart. Councilmember Graham also stated that we should wait until Mayor Irons presents the City Council with the budget and make the decision at that time.

Councilmember Jordan stated that it was the Finance Committee's responsibility to inform Mayor Irons that we want the funding increased for the library. Councilmember Jordan also stated that the City can afford to fund this amount due to increased sales tax revenue. Councilmember Jordan stated that he can not think of anything better to fund than the library.

Councilmember Pendleton stated that Florence is a Class 5 city and that the Mayor does not have any power. Councilmember Pendleton also stated that all taxes (ad valourem, beer, gas) collected go into the general fund. Councilmember Pendleton stated that Mayor Irons has misled this Council regarding sales tax. Councilmember Pendleton stated that the Council is not receiving all the tax information.

Councilmember Graham stated that according to procedures, Mayor Irons writes the budget and we can vote to add anything to it.

Councilmember Jordan stated that it is the Council's budget and this resolution is telling Mayor Irons that we want the funding to the library increased.

President Barnhart stated that Councilmember Jordan knows that this is not proper procedure and that Mayor Irons develops the budget. President Barnhart also stated that we have streets that needs paving and drainage issues that need repairing and that should be our number one priority.

Councilmember Pendleton stated that City employees received a 3% cost of living raise and that was not fair to the people who are paying the employee's salary. Councilmember Pendleton also stated that we are honoring our employees by giving them a job and providing them with healthcare therefore a cost of living raise was not needed. Councilmember Pendleton stated that employee salaries and benefits are a recurring expense and this is a one time appropriation.

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, present a Resolution authorizing the City to approve a letter of intent between the Alabama Emergency Management Agent, Hazard Mitigation Grant Program, and the City of Florence, with 25% matching funds to be paid in fiscal year 2012 budgeted funds, sponsored by Chief Cochran. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing resolution.

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

There being no discussion, 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

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into a contract with Gist Excavating, Inc., to provide labor, equipment, materials and incidentals necessary to demolish all structures, level the surface and dispose fully of all debris for twenty addresses, in the amount of \$48,500.00, to be paid from budgeted Community Development Funds, sponsored by Melissa Bailey. Said Resolution follows, to wit:

Councilmember Pendleton moved for immediate consideration of the foregoing resolution.

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

Discussion:

Councilmember Pendleton made comments in favor of the proposed resolution.

Councilmember Pendleton stated that 14 out of 20 of the houses to be torn down are located in West Florence. Councilmember Pendleton also stated that these houses are dilapidated and are an eyesore to the community. Councilmember Pendleton stated that as West Florence is being cleaned up, there will be people moving in to promote illegal activity.

Councilmember Betterton noted that W. C. Handy Gym is now air-conditioned.

There being no further discussion, 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

City Clerk, Robert M. Leyde presented a Resolution for the Approval of minutes of the Regular Meeting held on July 19, 2011. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing resolution.

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

Discussion:

Councilmember Pendleton made comments regarding communism and the show of prejudice. Councilmember Pendleton stated that the TimesDaily Newspaper is to be commended for their articles regarding China. Councilmember Pendleton stated that the deal with UNA and China was already dead. Councilmember Pendleton also stated that while these discussions were held the City of Decatur announced that a new plant was coming to their town. Councilmember Pendleton submitted articles, follow to wit:

There being no further discussion, 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

City Clerk, Robert M. Leyde, presented a Resolution to confirm payment of bills by the City Treasurer. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing resolution.

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

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

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

Noes: None

Abstain: Sam Pendleton, Jr.

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into a contract with Irons Electric Company, Inc., to provide labor, equipment, materials, and incidentals necessary to install the necessary electrical work for a fire alarm system in the press box, west concourse area, west concession stands and west restrooms at Braly Municipal Stadium, in the amount of \$10,708.00, to be paid by UNA and the Florence City Schools, sponsored by Todd Nix. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing resolution.

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

Discussion:

Councilmember Morris stated that after all the renovations have been completed at Braly Stadium, the City Treasurer will invoice UNA and the Florence City Schools with each paying half. Councilmember Morris noted that all contracts pertaining to Braly Stadium must come through the City. Councilmember Jordan asked City Attorney, Bill Musgrove, to state who actually owns the stadium.

Mr. Musgrove stated that the City owns Braly Stadium but it is held in trust for Florence City Schools.

Councilmember Betterton stated that there is committee with a representative from the City, Florence City Schools and UNA.

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

Ayes: William D. Jordan
Hermon T. Graham
Barry Morris
James H. Barnhart

Noes: None

Abstain: Sam Pendleton, Jr.
Andrew Betterton

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into an Agreement with the North Alabama Council of Local Governments (NACOLG) to provide technical assistance and other services necessary to develop plans for redistricting City Council districts, in an amount not to exceed \$8,500.00, to be paid from 398-41112, sponsored by Bill Musgrove and Bob Leyde. Said Resolution follows, to wit:

Councilmember Graham moved for immediate consideration of the foregoing resolution.

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

Discussion:

Councilmember Pendleton made comments regarding NACOLG and the new re-districting plan. Councilmember Pendleton stated that when District 1 was formed, race was secondary. Councilmember Pendleton also stated NACOLG should not try to pull someone into a district because of their race. Councilmember Pendleton stated that we should have a public hearing regarding this matter. Councilmember Pendleton also stated that he believes the new plan will not be fair to District 1.

Councilmember Betterton stated we need to make sure a voting location list is published and citizens are adequately notified of any voting location changes.

Councilmember Pendleton stated that the Coliseum area is being treated unfairly because of the distance of their voting place. Councilmember Pendleton also stated that the City should return to a voting location at Florence/Lauderdale Coliseum.

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

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

Noes: None

Abstain: Sam Pendleton, Jr.

City Clerk, Robert M. Leyde, presented a Resolution approving the amended General Fund Budget F/Y/E September 30, 2011, as detailed in Exhibit "A", sponsored by Mayor Irons and Dan Barger. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing resolution.

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

Discussion:

Councilmember Jordan made comments in opposition to the proposed resolution. Councilmember Jordan stated that in his opinion the numbers are not correct. Councilmember Jordan stated that he questions the business license and tobacco tax revenue.

Robert M. Leyde, City Clerk, stated that we no longer issue tobacco tax stamps, but that the wholesaler is now reporting and remitting the tax to us each month. Mr. Leyde noted that we will be saving due to the cost of the stamps.

Councilmember Jordan stated that over-time for storm cleanup will be reimbursed by FEMA.

President Barnhart made comments in favor of the proposed resolution. President Barnhart stated that ad-valorem taxes have increased.

Councilmember Morris made comments in opposition to the proposed resolution. Councilmember Morris stated that he agrees with Councilmember Jordan's statement. Councilmember Morris also stated that we do not know the exact numbers we are voting on in this resolution.

Councilmember Pendleton made comments in support of the proposed resolution. Councilmember Pendleton stated that you must look at the diversified businesses that are paying these sales taxes. Councilmember Pendleton stated that there has been a conscious effort to develop this City. Councilmember Pendleton also stated that we have plenty of money.

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

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
James H. Barnhart
Andrew Betterton

Noes: William D. Jordan
Barry Morris

Board Openings:

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Adjustments & Appeals	William T. Wynne	09/06/05	09/30/11
	Thomas G. Pigg	09/06/05	09/30/11
	Fitzgerald Hill	09/06/05	09/30/11
Beautification Board	2 - Vacancies		
Park & Recreation	Jimmy H. Williams	07/02/02	10/30/11
	Mansfield "Pete" Key	12/19/06	10/30/11
SEDA	Martin R. Abroms	12/18/08	09/30/11
	Hermon Graham	07/06/06	09/30/11

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

Mr. John Crowder, 421 Knottingham Road, appeared and made comments regarding surveys of the current landfill and of the former Florence Golf & Country Club. Mr. Crowder stated that the fact that the City has a landfill that is permitted, then ADEM should have the survey on file because that is a stipulation of the permitting process. Mr. Crowder stated that his recommendation is to hold off on surveying the property at this time.

Mr. Billy Ray Simpson, 955 West Alabama Street, appeared and made comments in support of legalizing marijuana. Mr. Simpson stated that the war on drugs is not working. Mr. Simpson also stated that you can not overdose on marijuana but you certainly can overdose on prescription drugs.

Council Reports and/or Comments:

Councilmember Pendleton submitted documents, follow to wit:

Councilmember Pendleton stated that he is confused why no one seems to want a survey of the former Florence Golf & Country Club property and the current landfill. Councilmember Pendleton stated that it is our job to protect the public interest.

Councilmember Pendleton made comments regarding communism. Councilmember Pendleton stated that other opportunities will come to help UNA to purchase the property.

Councilmember Pendleton stated that the best headline yet in the TimesDaily Newspaper was an article entitled "Barnhart, Pendleton under Fire". Councilmember Pendleton stated that there are communist sympathizers in this City.

Councilmember Jordan stated that we owe a debt of gratitude to Dr. Bronner for Wise Metals moving its corporate headquarters to Muscle Shoals.

Councilmember Jordan stated that he wants to co-sponsor a resolution for a survey of the existing landfill and the former Florence Golf & Country Club. Councilmember Jordan stated that the former Florence Golf & Country Club was surveyed in 2006 for a local bank but not ever for the City of Florence. Councilmember Jordan stated that to survey the current landfill it will show the best place to build a transfer station. Councilmember Jordan also stated that either opening another cell in the landfill or building a transfer station, there must be a current survey done for ADEM.

Councilmember Graham congratulated Deputy Fire Chief Perkins on his recent promotion. Councilmember Graham also commended the Florence Police Department for the "National Night Out" and also the W. C. Handy Committee for their hard work.

Councilmember Graham cautioned everyone to be on the look out for school buses and children walking to school.

Councilmember Morris had no comments.

Councilmember Betterton made comments regarding the recent W. C. Handy Festival. Councilmember Betterton stated that it was a wonderful event. Councilmember Betterton also commended the City employees for their hard work during the W. C. Handy Festival.

President Barnhart stated that he was proud of the position that he took on the "communist" platform. President Barnhart thanked everyone who supported him on this issue.

Councilmember Jordan thanked the Florence/Lauderdale Tourism for sponsoring the recent FLW Bass Tournament which was the largest tournament in the United States and also for hosting the Alabama Tourism Conference.

Councilmember Jordan presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK

City of Florence, AL
Minutes of City Council
August 2, 2011