

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
JANUARY 17, 2012**

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, January 17, 2012. President Barnhart called the meeting to order. Mayor Irons gave the invocation and led in the Pledge of Allegiance. Robert M. Leyde, City Clerk, performed the roll call and noted that Councilmember Jordan was absent and that five Councilmembers were present and a quorum was present with the following members of the City Council in attendance: Sam Pendleton, Jr., Hermon T. Graham, Barry Morris, James Barnhart and Andrew Betterton.

AMENDED AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

January 17, 2012

5:00 P.M.

1. Meeting called to order - President Barnhart
2. Invocation - Councilmember Pendleton
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 January 3, 2012.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Custom Engineering Solutions, Inc., to perform engineering consulting to the Electricity Department on an as requested basis, to be paid according to a fee schedule from Account #923 - Outside Services Employed, sponsored by Richard Morrissey.
- (d) Resolution authorizing the City to enter into a contract with Ronnie Gist, DBA Gist Excavating, to provide labor, materials and incidentals necessary to demolish and dispose of a burned house at 331 Georgia Avenue, in the amount of \$3,900.00, to be paid from Community Development Block Grant Funds, sponsored by Melissa Bailey.

- (e) Resolution authorizing the City to enter into a contract with Roberts Services, Inc., to provide labor, materials and incidentals necessary to renovate two existing monolithic Wheeler bottom filters, in the amount of \$102,175.00, to be paid from Account #320.00 - Purification Building and Equipment, sponsored by Mike Doyle.
- (f) Resolution authorizing the City to enter into a contract with Paul Sutter, DBA Energy Diagnostics and Inspection Services, in the amount of \$150.00 per inspection, to be paid from Account #908.10 - Heat Pump Incentive Expenses, sponsored by Richard Morrissey.
- (g) Resolution authorizing the City to enter into an Agreement for Professional Engineering Services with McLaughlin Water Engineers, Ltd. DBA McLaughlin Whitewater Design Group, in a not-to-exceed amount of \$140,144.00 for Phase I and II services, to be paid from unutilized capital expense funds, sponsored by Mike Doyle.
- (h) Resolution authorizing the City to enter into an Agreement with the Alabama Department of Transportation for the maintenance of a storm water drainage system within the city limits along the east side of State Highway 133/Cox Creek Parkway, sponsored by Bill Batson.
- (i) Resolution to amend the Community Development Block Grant Program Year 2 Action Plan for fiscal year 2011-2012, sponsored by Melissa Bailey.
- (j) Resolution to approve a deferred Payment Emergency Repair Loan through the Community Development Rehabilitation Program in the amount of \$4,939.11 to Velma Cole for improvements to the property located at 326 Smith Street, sponsored by Melissa Bailey.
- (k) Resolution to approve a deferred Payment Emergency Repair Loan through the Community Development Rehabilitation Program in the amount of \$7,050.64 to Emma R. Watkins for improvements to the property located at 624 South Blair Street, sponsored by Melissa Bailey.
- (l) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Resolution to vacate a 12-foot alley lying North of Lots 1,2,3,4,5,6,7,8 and 9 and south of Lots 10,22,12,13,14, and 18, in Block 3, Jackson Highway Terrace, sponsored by Bill Musgrove.
- (b) Resolution authorizing the City to enter into a contract with Shotcrete of America, LLC, for repairs to the manhole located in the K-Mart parking lot in the amount of \$70,250.00 on an emergency basis sponsored by Bill Batson. **(This item was added to the Regular Agenda)**

13. General Business:

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Beautification Board	1 - Vacancy		
Historical Board	1 - Vacancy		
Housing & Construction Appeals Board	3 - Vacancies		
Regional Library Board	James H. Nash	01/20/09	01/28/12

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 noted that at the earlier work session, it was decided to add to the Regular Agenda Item 12 (b) Resolution to approve a contract with Shotcrete of America, LLC, to repair the manhole located in an easement in the northernmost portion of the K-Mart parking lot on an emergency basis, in the total amount of \$70,250.00, sponsored by Bill Baton.

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

Ayes: Sam Pendleton, Jr.
Herman T. Graham
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: No

Message from the Mayor:

Report of Department Heads: None

Report of Standing Committee: None

Public Hearing: None

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 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.
Hermon T. Graham
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to vacate a 12-foot alley lying North of Lots 1,2,3,4,5,6,7,8 and 9 and south of Lots 10,22,12,13,14, and 18, in Block 3, Jackson Highway Terrace, sponsored by Bill Musgrove. Said Resolution follows, to wit:

Councilmember Pendleton 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 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.

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

Ayes: Sam Pendleton, Jr.
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 Shotcrete of America, LLC, for repairs to the manhole located in the K-Mart parking lot in the amount of \$70,250.00 on an emergency basis sponsored by Bill Batson. 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.
Hermon T. Graham
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

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

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

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

Noes: None

General Business:

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Beautification Board	1 - Vacancy		
Historical Board	1 - Vacancy		
Housing & Construction Appeals Board	3 - Vacancies		
Regional Library Board	James H. Nash	01/20/09	01/28/12

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

Mr. Danny McGee, 220 Norwood Blvd, appeared and made comments in favor of the proposed Wal-mart Super Center coming to North Florence. Mr. McGee stated that the estimated number of employees that will be hired are at least 250. Mr. McGee further stated that this area is growing and he sees nothing but good coming out of this development.

Mr. Coy Bramlett, 105 Kensington Drive, appeared and made comments in opposition to a proposed Wal-Mart Super Center being built on Cloverdale Road. Mr. Bramlett stated that he has talked to Governor Bentley and that the Governor is opposed to the “Big Box” retail stores. Mr. Bramlett further stated that he is not a “Wal-Mart Hater”. Mr. Bramlett presented the City Council with a petition in opposition to the development of Wal-mart that follows to wit:

Mr. Phillip Everett, who owns property at 755 West Alabama Street, appeared and made comments in opposition to a proposed Wal-Mart Super Center being built on Cloverdale Road. Mr. Everett stated that he performed research online regarding the negative impact that big box retailers such as Wal-Mart has on a community. Mr. Everett stated that his research shows that many of the employees of these retailers did not earn enough to support their families. Mr. Everett further stated that less spending at local retailers has a negative economic impact on most communities. Mr. Everett noted that local retail businesses require less land than big box retailers.

Mr. Billy Sledge, 4415 Chisholm Road, appeared and made comments regarding the establishment of a Cemetery Authority. Mr. Sledge noted that there are three cemeteries located near the site of the proposed Wal-Mart Super Center on Cloverdale Road.

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments regarding the "War Against People Who Use Drugs". Mr. Simpson stated that this war must end. Mr. Simpson also made comments in favor of legalizing marijuana. Mr. Simpson stated that our justice system has not been fair to people who use marijuana. Mr. Simpson further stated that according to a study conducted by the University of Alabama at Birmingham, it was found that smoking marijuana is not as dangerous to an individual's health as the use of tobacco. Mr. Simpson stated that corrupt politicians are making money from the sale of illegal drugs.

Council Reports and/or Comments:

President Barnhart noted that the City Council has not received any official documents regarding the proposed development of Wal-Mart.

Councilmember Pendleton stated that everyone's opinions and concerns will be taken into consideration when the Council is presented with the development of a new Wal-Mart.

Councilmember Pendleton stated that he is in full support of Mayor Irons' decision to utilize the clubhouse located at the former Florence Country Club for a Senior Citizens Center.

Councilmember Pendleton stated that he is concerned about the City's garbage situation. Councilmember Pendleton further stated that he is not in favor of extending the transfer station contract for another six months, after the initial six month contract expires if a permanent solution has not been made. Councilmember Pendleton stated that extending the contract is a waste of money.

Councilmember Graham stated that he has not responded to e-mails regarding the proposed Wal-Mart Super Center to be located on Cloverdale Road because this Council has not been given any information on this matter. Councilmember Graham further stated he will try to make decisions that are best for the citizens of Florence.

Councilmember Morris stated that he is reading and researching information regarding the proposed Wal-Mart project. Councilmember Morris further stated that when the information has been presented, then a decision can be made.

Councilmember Betterton made comments regarding the proposed Wal-Mart project. Councilmember Betterton stated that he takes his job as a Councilmember very seriously and that when the time comes to make a decision, he will look at all the information. Councilmember Betterton further stated that he reads all correspondence that he receives.

President Barnhart had no comments.

Councilmember Pendleton presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK