

**CITY OF FLORENCE  
MINUTES OF CITY COUNCIL  
JULY 3, 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, July 3, 2012. 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 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.

**AGENDA**

**CITY OF FLORENCE, ALABAMA**

**CITY COUNCIL MEETING**

**July 3, 2012**

**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:
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 June 19, 2012.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Ronnie Gist, DBA Gist Excavation, to provide labor, equipment, materials and incidentals necessary to demolish all structures, level the surface and fully dispose of all debris for eleven addresses, in the amount of \$28,600.00, to be paid from budgeted Community Development Block Grant funds, sponsored by Gary Williamson and Melissa Bailey.

- (d) Resolution authorizing the city to enter into a contract with White, Lynn, Collins & Associates, Inc., to provide professional surveying services necessary to obtain Alabama Department of Transportation Highway and County Road permits and identify all existing utility facilities, elevations, and other pertinent information necessary to complete the design of 46KV tie line between Blackburn substation and Industrial Park and St. Florian substations, to be paid from budgeted funds, Account #355.00, sponsored by Richard Morrissey.
- (e) Resolution authorizing the City to enter into a contract with the Northwest Alabama Council of Local Governments, in the amount of \$3,000.00, to provide transportation services to handicapped and/or disabled persons, to be paid from budgeted Community Development Block Grant funds, sponsored by Melissa Bailey.
- (f) Resolution authorizing the City to enter into a contract with the Northwest Community Health Clinic, in the amount of \$9,000.00, to provide health care to low/moderate income persons, to be paid from budgeted Community Development Block Grant funds, sponsored by Melissa Bailey.
- (g) Resolution authorizing the City to enter into a contract with the Handy Hills Citizens for progress, in the amount of \$7,000.00, to provide technology training to low-moderate income persons, to be paid from budgeted Community Development Block Grant funds, sponsored by Melissa Bailey.
- (h) Resolution authorizing the City to enter into a contract with the Florence Housing Authority, in the amount of \$11,000.00, to provide transportation services to public housing and other low to moderate income persons, to be paid from budgeted Community Development Block Grant funds, sponsored by Melissa Bailey.
- (i) Resolution authorizing the City to enter into a contract with the Florence Housing Authority, in the amount of \$8,000.00, to provide support and assistance to the Family Self Sufficiency Program, to be paid from budgeted Community Development Block Grant funds, sponsored by Melissa Bailey.
- (j) Resolution authorizing the City to enter into a contract with the Boys and Girls Club, in the amount of \$10,000.00, to provide programs for low/moderate income families and at risk youths, to be paid from budgeted Community Development Block Grant funds, sponsored by Melissa Bailey.
- (k) Resolution to approve a Contract with the Florence Housing Authority for the Provision of Supplemental Police Services, sponsored by Bill Musgrove and Chief Tyler.
- (l) Resolution to approve a Release and Indemnity Agreement with Essex Insurance Company, in the amount of \$5,271.52, sponsored by Chief Cochran.
- (m) Resolution authorizing the City to execute a permit to the Alabama Department of Transportation (ALDOT) for the installation /modification of a traffic signal on U.S. Highway 72 (Florence Boulevard) at Darby Drive, sponsored by Bill Batson.
- (n) Resolution to appoint Tyndal Davis to the Health Care Authority of Lauderdale County and the City of Florence Board of Directors, sponsored by the City Council.
- (o) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Ordinance authorizing the issuance, sale, delivery and payment of \$22,765,000 principal amount of general obligation warrants, series 2012, dated July 1, 2012, sponsored by Mayor Irons and Finance Committee.
- (b) Resolution to vacate a portion of Walnut Street adjoining Lot No. 15, Block No. 180, sponsored by Bill Musgrove.

- (c) Resolution authorizing the City to accept and maintain the existing improvements for Plantation Springs Phase II, Lots 1-42, sponsored by Bill Batson.
- (d) Resolution authorizing the City to accept and maintain the existing improvements for Plantation Springs Phase III, Lots 1-62, sponsored by Bill Batson.
- (e) Resolution authorizing the City to accept and maintain the existing improvements for Re-Survey of Cedar Ridge, Lots 1-33, sponsored by Bill Batson.

13. General Business:

- (a) Resolution to amend the General Fund Fiscal Year 2011- 2012 budget as follows: revenue increasing from \$49,001,300 to \$49,646,300, an increase of \$645,000. Expenditures increasing from \$48,988,620 to \$49,398,456, an increase of \$409,836. Budgeted surplus increasing from \$12,680 to \$247,844. Details provided in Exhibit A, sponsored by Dan Barger.

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Housing & Construction Appeals Board	1 - Vacancy		
Port Authority	Dick Smith	01/20/09	07/21/12
Scope 310	Vacant		
Zoning Adjustments	1 - Vacancy (Supernumerary)		

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

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

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

16. Motion to Adjourn.

President Barnhart asked for a motion for approval of the agenda. Councilmember Graham 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:**

President Barnhart noted that Mayor Irons was out of town tonight. President Barnhart presented a Proclamation to Sgt 1<sup>st</sup> Class Timothy Andrew Adams of the Alabama Air National Guard. President Barnhart stated that Sgt 1<sup>st</sup> Class Adams has served in the Alabama Air National Guard for 12 years and he is currently on leave from Afghanistan.

**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 Betterton moved for approval of the ordinances and resolutions as follow, to-wit:

Councilmember Pendleton 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 an Ordinance authorizing the issuance, sale, delivery and payment of \$22,765,000 principal amount of general obligation warrants, series 2012, dated July 1, 2012, sponsored by Mayor Irons and Finance Committee. Said Ordinance follows, to wit:

Councilmember Graham moved for immediate consideration of the foregoing ordinance.

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

There being no discussion, a vote taken on the motion 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 vacate a portion of Walnut Street adjoining Lot No. 15, Block No. 180, sponsored by Bill Musgrove. Said Resolution follows, to wit:

Councilmember Betterton 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 Jordan 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: 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 accept and maintain the existing improvements for Plantation Springs Phase II, Lots 1-42, sponsored by Bill Batson. Said Resolution follows, to wit:

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

There being no discussion, a vote taken on the motion 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 accept and maintain the existing improvements for Plantation Springs Phase III, Lots 1-62, sponsored by Bill Batson. Said Resolution follows, to wit:



Councilmember Betterton 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 Jordan 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.  
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 accept and maintain the existing improvements for Re-Survey of Cedar Ridge, Lots 1-33, sponsored by Bill Batson.

Said Resolution follows, to wit:

Councilmember Betterton 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 Jordan 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: 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 amend the General Fund Fiscal Year 2011- 2012 budget as follows: revenue increasing from \$49,001,300 to \$49,646,300, an increase of \$645,000. Expenditures increasing from \$48,988,620 to \$49,398,456, an increase of \$409,836. Budgeted surplus increasing from \$12,680 to \$247,844. Details provided in Exhibit A, sponsored by Dan Barger. Said Resolution follows, to wit:

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

Noes: None

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

Noes: None

**Board Openings:**

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Housing & Construction Appeals Board	1 - Vacancy		
Port Authority	Dick Smith	01/20/09	07/21/12
Scope 310	Vacant		
Zoning Adjustments	1 - Vacancy (Supernumerary)		

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

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments regarding illegal drugs and gun runners. Mr. Simpson stated that the U.S. and Mexico are in a "Drug War." Mr. Simpson further stated that the NRA is the most powerful gun running organization in the world. Mr. Simpson stated that America is sick and that there is a very high demand for drugs in this Nation.

Ms. Audrey Parrish, appeared and made comments regarding the City's ambulance contract. Ms. Parrish stated that in December of 2011 she required an ambulance and at that time was asked by the ambulance service which hospital she would like to be transported to. Ms. Parrish further stated that the ambulance driver stated that he could not tell her which hospital to use but that he did state that ECM Hospital was closer than Keller Hospital.

Mr. Bob Parrish, appeared and made comments regarding the proposed Wal-Mart Store to be located in North Florence. Mr. Parrish stated that the proposed Wal-Mart Store will force the former Winn Dixie and Big Star to close. Mr. Parrish further stated that he did not understand the logic of the City Council approving the construction of a Wal-Mart Store in that area.

Mr. Bobby Robertson, 314 Sherborne Court, appeared and commended Mayor Irons and the City Council for doing a good job with the management of the City's finances.

Mr. John Hargett, North Wood Avenue, appeared and made comments regarding the Blackberry Trail Golf Course. Mr. Hargett stated that the City has to operate the golf course for thirty years before it can be sold. Mr. Hargett further stated that the golf course loses approximately half a million dollars a year and that the drain on the City should stop.

**Council Reports and/or Comments:**

Councilmember Jordan commended Sgt. Adams and wished everyone a happy and safe 4<sup>th</sup> of July holiday.

Councilmember Graham congratulated Sgt. Adams and noted that the nine year olds from Florence recently won the State Cal Ripken Championship and they will travel to South Carolina to play in the regional.

Councilmember Morris also commended Sgt. Adams and all men and women who are serving our country.

Councilmember Morris made comments regarding the bond issue refunding on tonight's agenda. Councilmember Morris noted that the Council has had numerous meetings regarding this matter and that this decision was not made lightly.

Councilmember Betterton wished everyone a safe and happy 4<sup>th</sup> of July holiday.

Councilmember Pendleton made comments regarding the proposed Wal-Mart Store to be located in North Florence. Councilmember Pendleton noted that Wal-Mart has met all the criteria and

guidelines that were laid out by the Planning Commission and ALDOT.

Councilmember Pendleton made comments regarding the City's ambulance service. Councilmember Pendleton stated that he is interested in the new replacement hospital to be built in Florence. Councilmember Pendleton further stated that he does not want "Helen Keller Hospital" on our streets. Councilmember Pendleton stated that he is not talking about unity between the cities until the new hospital is built in Florence.

President Barnhart made comments regarding Blackberry Trail Golf Course. President Barnhart stated that when he came to the Council he was a liberal but now he has changed his mind. President Barnhart further stated that he is in favor of selling Blackberry Trail Golf Course.

Councilmember Betterton presented the closing prayer.

There being no further business the meeting was adjourned.

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ATTEST:

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CITY CLERK