

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
June 4, 2013**

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 4, 2013. President Jordan 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: Dave Smith, William D. Jordan, Hermon T. Graham, Barry Morris, Blake Edwards and Andrew Betterton.

AMENDED AGENDA
CITY OF FLORENCE, ALABAMA
CITY COUNCIL MEETING
JUNE 4, 2013
5:00 P.M.

1. Meeting called to order - President Jordan
2. Invocation -
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: 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 256-760-6400 for questions on Consent Agenda items prior to the Council meeting.

- (a) Approval of minutes of the May 14, 2013 meeting and special called meeting on May 16, 2013.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Gann's Discount Siding, Inc., to provide labor, equipment, materials and incidentals necessary to and decking on Shelter No. 1, Veterans Park, in the amount of \$3,248.00, to be paid from the Capital Municipal Improvements Fund, sponsored by Todd Nix.
- (d) Resolution authorizing the City to enter into a contract with C & H Cooling & Heating, Inc., to provide labor, equipment, materials and incidentals necessary to install a 20 ton cooling unit at the Florence/Lauderdale Coliseum, in the amount of \$19,000.00, to be paid from the Capital Municipal Improvements Fund, sponsored by Todd Nix.

- (e) Resolution authorizing the City to enter into a contract with Chandler Painting Company, Inc., to provide labor, equipment, materials and incidentals necessary to pressure clean wood surfaces, spot prime raw wood and paint the five shelters at Veterans Park, in the amount of \$11,850.00, to be paid from the Capital Municipal Improvements Fund, sponsored by Todd Nix.
- (f) Resolution authorizing the City to enter into a contract with White, Lynn, Collins & Associates, Inc., to provide professional services to obtain an Alabama Department of Transportation Highway Permit (Commercial Turnout) for the Lexington 161 Electrical substation, to be paid from 350.00 Land and Rights Fund, sponsored by Richard Morrissey.
- (g) Resolution authorizing the City to enter into a contract with Butler Construction, LLC, to provide labor, equipment, materials and incidentals necessary for alterations to the Electricity Department's administrative offices, in the amount of \$433,200.00, to be paid from Structures and Improvements Fund, sponsored by Richard Morrissey.
- (h) Resolution authorizing the City to enter into a contract with Engineers of the South, LLC, for professional engineering services regarding Automated Meter Reading (AMR) Program/Upgrades, to be paid from Engineering Services, sponsored by Mike Doyle.
- (i) Resolution authorizing the City to enter into a contract with Robert W. Whitten, Architect, to provide professional services regarding the Frank Lloyd Wright/Rosenbaum House gift shop, to be located at the Professional Development and Technology Center of the Florence Board of Education, 541 Riverview Drive, sponsored by Council President Jordan.
- (j) Resolution authorizing the City to enter into a Letter of Understanding with Comcast Cable Communications Management, LLC, regarding the installation, operation and maintenance of equipment by Comcast at the Florence-Lauderdale Visitors Center property, sponsored by Bill Musgrove.
- (k) Resolution authorizing the City to approve a Release for Property Damage from the City to the Lauderdale County Commission/Lauderdale County Detention Center in consideration of the amount of \$2,255.57, to be paid to the City, sponsored by Bill Musgrove.
- (l) Resolution authorizing the City to enter into a Real Estate Sales Contract with Tim and Kim Properties for the City to purchase the property located at 506 Royal Avenue, sponsored by Mayor Haddock.
- (m) Resolution authorizing the City to enter into a Commercial Lease Agreement with the Board of Education of the City of Florence for the City to lease a room/space at the Professional Development and Technology Center of the Board of Education located at 541 Riverview Drive to be used as a gift shop for the Frank Lloyd Wright/Rosenbaum House, sponsored by Council President Jordan.
- (n) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Haddock.

12. Regular Agenda:

- (a) Ordinance to amend Section 13-154. Parking time limits; holidays, days and times when meters not in operation, Code of Florence, Alabama, sponsored by Council President Jordan.
- (b) Ordinance to amend Section 13-157. Minimum fines for parking violations, Code of Florence, Alabama, sponsored by Council President Jordan.
- (c) Ordinance to amend Section 13-161. Enforcement; tickets, issuing, Code of Florence, Alabama, sponsored by Council President Jordan.
- (d) Ordinance to amend Section 3-2. Definitions of establishments, places, and premises permitted to apply for license to sell alcohol, Code of Florence, Alabama, to allow micro-breweries, sponsored by Musgrove.

- (e) Resolution authorizing the City to approve the construction of a fenced dog park in McFarland Park with the cost of construction being funded solely by private contributions, as sponsored by the Parks & Recreation Committee. **(This item was added to the Regular Agenda)**

13. General Business:

- (a) Resolution approving the operating budgets of the Gas Department and Water and Wastewater Department, for the fiscal year ending June 30, 2014, sponsored by Mayor Haddock, Mike Doyle and Vance Young.
- (b) Resolution approving the application for an alcohol beverage license by El Charrito Mexican Restaurant, LLC, for a full menu restaurant with on premises liquor, beer and wine, d/b/a El Charrito Mexican Restaurant, located at 845 Cox Creek Parkway, Florence, Alabama 35630, sponsored by Bob Leyde.
- (c) Resolution approving the application for an alcohol beverage license by Rare Hospitality International, Inc., for a full menu restaurant with on premises liquor, beer and wine, d/b/a Longhorn Steakhouse #5492, located at 102 Cox Creek Parkway, South, Florence, Alabama 35630, sponsored by Bob Leyde.
- (d) Resolution approving the application for an alcohol beverage license by Rivertown Coffee Co., Inc., for a specialty menu restaurant with on premises beer and wine, d/b/a Rivertown Coffee, located at 117 North Seminary Street, Florence, Alabama 35630, sponsored by Bob Leyde.
- (e) Resolution approving the application for an alcohol beverage license by Panatiotis Spyrou for a full menu restaurant with on premises liquor, beer and wine, d/b/a Olive's Torch, located at 3370 Cloverdale Road, Florence, Alabama 35633, sponsored by Bob Leyde.
- (f) Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Agri-Business Center	Vacant		
Scope 310	Reginald Owens	4/03/01	07/21/13
Scope 310	Karen Kennedy	12/07/10	07/21/13

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

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

Councilmember Smith
Councilmember Graham
Councilmember Morris
Councilmember Edwards
Councilmember Betterton
Councilmember Jordan

16. Motion to Adjourn.

President Jordan noted that it was decided at the earlier work session today to add Regular Agenda Item 12 (e) Resolution authorizing the City to approve the construction of a fenced dog park in McFarland Park with the cost of construction being funded solely by private contributions, as sponsored by the Parks & Recreation Committee.

There being no further changes, President Jordan asked for a motion for approval of the amended agenda. Councilmember Smith moved for approval of the agenda. Councilmember Morris seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

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

Noes: None

Message from the Mayor:

Mayor Haddock's comments follow, to wit:

Report of Department Heads: None

Report of Standing Committee:

Parks & Recreation Committee and Public Works Committee reports follow, to wit:

Public Hearing: None

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

Mr. Bill Smoak, 2424 Roberts Lane, appeared and made comments regarding Consent Agenda Item 11 (m) Resolution authorizing the City to enter into a Commercial Lease Agreement with the Board of Education of the City of Florence for the City to lease a room/space at the Professional Development and Technology Center of the Board of Education located at 541 Riverview Drive to be used as a gift shop for the Frank Lloyd Wright/Rosenbaum House, sponsored by Council President Jordan. Mr. Smoak asked why would the City pay rent to the Florence Board of Education?

President Jordan stated that the City is not paying any rent for this space.

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 Section 13-154. Parking time limits; holidays, days and times when meters not in operation, Code of Florence, Alabama, sponsored by Council President Jordan. Said Ordinance follows, to wit:

Councilmember Edwards moved for immediate consideration of the foregoing Ordinance.

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

Discussion:

President Jordan made comments in favor of the proposed ordinance. President Jordan stated that the increase of meter rates has been in discussion for approximately three to four months.

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 amend Section 13-157. Minimum fines for parking violations, Code of Florence, Alabama, sponsored by Council President Jordan. Said Ordinance follows, to wit:

Councilmember Smith moved for immediate consideration of the foregoing Ordinance.

Councilmember Betterton 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 Edwards 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
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to amend Section 13-161. Enforcement; tickets, issuing, Code of Florence, Alabama, sponsored by Council President Jordan. Said Ordinance follows, to wit:

Councilmember Smith 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.

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
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to amend Section 3-2. Definitions of establishments, places, and premises permitted to apply for license to sell alcohol, Code of Florence, Alabama, to allow micro-breweries, sponsored by Musgrove. Said Ordinance follows, to wit:

Councilmember Smith 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:

President Jordan made comments in support of the proposed Ordinance. President Jordan stated that the individuals involved came to a work session and requested a change regarding micro-breweries. President Jordan further stated that the Ordinance is well written.

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 approve the construction of a fenced dog park in McFarland Park with the cost of construction being funded solely by private contributions, as sponsored by the Parks & Recreation Committee. 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 Morris moved for adoption of the foregoing Resolution. Councilmember Edwards 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
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution approving the operating budgets of the Gas Department and Water and Wastewater Department, for the fiscal year ending June 30, 2014, sponsored by Mayor Haddock, Mike Doyle and Vance Young. 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: 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 Morris seconded the motion.

Discussion:

Councilmember Morris noted that the proposed budget has been thoroughly discussed with the Utilities Committee.

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 approving the application for an alcohol beverage license by El Charrito Mexican Restaurant, LLC, for a full menu restaurant with on premises liquor, beer and wine, d/b/a El Charrito Mexican Restaurant, located at 845 Cox Creek Parkway, Florence, Alabama 35630, sponsored by Bob Leyde. Said Resolution follows, to wit:

Councilmember Smith moved for immediate consideration of the foregoing Resolution.

Councilmember Morris 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 Morris 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
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution approving the application for an alcohol beverage license by Rare Hospitality International, Inc., for a full menu restaurant with on premises liquor, beer and wine, d/b/a Longhorn Steakhouse #5492, located at 102 Cox Creek Parkway, South, Florence, Alabama 35630, sponsored by Bob Leyde. 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: 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 Smith 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
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution approving the application for an alcohol beverage license by Rivertown Coffee Co., Inc., for a specialty menu restaurant with on premises beer and wine, d/b/a Rivertown Coffee, located at 117 North Seminary Street, Florence, Alabama 35630, sponsored by Bob 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 Smith 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: Dave Smith
William D. Jordan
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution approving the application for an alcohol beverage license by Panatiotis Spyrou for a full menu restaurant with on premises liquor, beer and wine, d/b/a Olive's Torch, located at 3370 Cloverdale Road, Florence, Alabama 35633, sponsored by 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: 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 Morris 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
Andrew Betterton

Noes: None

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Agri-Business Center	Vacant		
Scope 310	Reginald Owens	4/03/01	07/21/13
Scope 310	Karen Kennedy	12/07/10	07/21/13

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

Mr. Bill Smoak, 2424 Roberts Lane, appeared and made comments in opposition to the City appropriating three million dollars to the University of North Alabama.

Council Reports and/or Comments:

Councilmember Smith had no comments.

Councilmember Graham thanked everyone in attendance and reminded everyone of the District 3 Community meeting on July 18 at the Broadway Recreation Center at 6:00 p.m.

Councilmember Morris had no comments.

Councilmember Edwards made comments on an article that appeared on AL.com titled "What is going on in Florence."

Councilmember Betterton challenged Mr. Smoak's comments regarding the appropriation to UNA.

President Jordan noted that there had been several golf tournaments in the area last week. President Jordan stated that there are a lot of good things going on in Florence.

Councilmember Morris presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK

