



**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
March 17, 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, March 17, 2015. 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

MARCH 17, 2015

5:00 P.M.

-
1. Meeting called to order - President Jordan
 2. Invocation - Councilmember Betterton
 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:
 - (a) Proposed rezoning of 2.06 acres located behind the Shoals Chamber of Commerce on Hightower Place from R-2 (Single-Family Residential District) to R-B/CO (Residential Business District/Conditional Overlay) as requested by Shoals Area Association of Realtors.
 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 March 3, 2015, meeting.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with CJF Construction, Inc., to provide labor, equipment and incidentals necessary to replace approximately 1275 linear feet of galvanized water lines in the 400 block of Beverly Avenue and the 1100 block of Ridgeway Street with 2" PVC, in the amount of \$30,595.00, to be paid from budgeted funds, Account #331.10 - Distribution Mains & Appurtenances, sponsored by Mike Doyle.
- (d) Resolution authorizing the City to enter into a contract with Garnet Electric Co., Inc., to provide labor, equipment, materials and incidentals necessary to construct the Parkway 46/12kV substation, in the amount of \$799,500.00, to be paid from budgeted funds, Account #353 - Transmission Plant Station Equipment, sponsored by Richard Morrissey. **(This item was moved to Regular Agenda Item 12 (d))**
- (e) Resolution authorizing the City to enter into a contract with Asplundh Tree Expert Company, to provide labor, equipment, materials and incidentals necessary for the electric line clearance for the Florence Utilities Electricity Department, in the amount of \$1,464,532.13 for the Trim Bid and \$121,320.40 for the Spray Bid for Project 1, 2015; \$1,990,138.93 for the Trim Bid and \$128,790.80 for the Spray Bid for Project 2, 2016; and \$2,013,822.65 for the Trim Bid and \$128,751.70 for the Spray Bid for Project 3, 2017, to be paid from budgeted funds, Account #571.10 - Maintenance of Overhead Lines, sponsored by Richard Morrissey.
- (f) Resolution authorizing the City to enter into a contact with Pitts Masonry, Inc., to provide labor, equipment and incidentals necessary to perform repairs to the concrete block wall that was damaged by a car accident at Cox Creek Park barn, in the amount of \$5,130.00, to be paid from Account #44725-00260, sponsored by Todd Nix.
- (g) Resolution authorizing the City to enter into a contract with Hand Service Company, Inc., to provide labor, equipment and incidentals necessary to perform repairs to an 8" casing on Pump 8 at the River Heritage fountain, in the amount of \$4,625.00, to be paid from budgeted funds, Account #260-44725, sponsored by Todd Nix.
- (h) Resolution authorizing the City to enter into a contract with Jerry Gowen, doing business as Affordable Tree Removal and Stump Grinding, to provide labor, equipment, materials and incidentals necessary for stump grinding services, in the amounts of \$10 for 0 to <6"; \$24.00 for 6" to <12"; \$30.00 for 12" to <18"; \$35.00 for 18" to <24"; \$45.00 for 24" to <32"; \$50.00 for 32" to <38"; \$55.00 for 38" to <42"; \$75.00 for 42" to <48"; \$90.00 for 48" to <54"; and \$100.00 for 54" and greater, to be paid from budgeted funds, Account #571.10 - Maintenance of Overhead Lines, sponsored by Richard Morrissey.
- (i) Resolution authorizing the City to enter into a contract with General Sign Company, Inc., to provide labor, equipment, materials and incidentals necessary to install one 12' x 3' aluminum sign on the northernmost side of the Parking Deck and four 30" x 18" aluminum Trail Blazer signs, in the amount of \$9,750.00, to be paid from budgeted one cent sales tax funds, sponsored by Dick Jordan.
- (j) Resolution authorizing the City to renew the contract with Shoals Ambulance Service, Inc., for another one year term; sponsored by George Grabryan.

- (k) Resolution urging the University of Alabama System Board of Trustees and the University of Alabama at Birmingham President to reinstate the University of Alabama at Birmingham football, bowling and rifle programs, sponsored by Hermon Graham. **(This item was removed)**
- (l) Resolution to appoint Rod Whatley to the Historical Board.
- (m) Resolution to advance and reimburse travel expenses to City employees, sponsored by Mayor Haddock.

12. Regular Agenda:

- (a) Ordinance rezoning 2.06 acres located behind the Shoals Chamber of Commerce on Hightower Place from R-2 (Single-Family Residential District) to R-B/CO (Residential Business District/Conditional Overlay), sponsored by Melissa Bailey. **(This item was removed)**
- (b) Resolution to establish fees for the Florence Cemetery, sponsored by Todd Nix.
- (c) Resolution to declare as public nuisances properties located at 129 Minniehaha Street and 120 White Street, sponsored by Gary Williamson.
- (d) Resolution authorizing the City to enter into a contract with Garnet Electric Co., Inc., to provide labor, equipment, materials and incidentals necessary to construct the Parkway 46/12kV substation, in the amount of \$799,500.00, to be paid from budgeted funds, Account #353 - Transmission Plant Station Equipment, sponsored by Richard Morrissey. **(This item was moved from Consent Agenda Item 11(d))**

13. General Business:

- (a) Resolution – Alcohol Beverage License Application for a Full-Menu Restaurant with On-Premises Liquor-Ber-Wine by EL CHARRITO MEXICAN RESTAURANT, LLC, d/b/a EL CHARRITO MEXICAN RESTAURANT, located at 3721 FLORENCE BOULEVARD, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (b) Resolution – Alcohol Beverage License Application for a Special Event to take place on April 21, 2015, with On-Premises Liquor-Ber-Wine, by RIVER HERITAGE HOTEL CORPORATION, d/b/a MARRIOTT SHOALS HOTEL & SPA, located at 15 HIGHTOWER PLACE, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (c) Board Openings within the next 90 days or less:

| <u>Board</u> | <u>Member</u> | <u>Appointed</u> | <u>Expires</u> |
|------------------|-----------------|------------------|----------------|
| Civil Service | Howard Robinson | 12/06/05 | 04/15 |
| Library Board | Margaret Lobo | 01/07/14 | 01/28/15 |
| Riverbend Center | Betty Robertson | 05/07/91 | 04/01/15 |

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

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

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

16. Motion to Adjourn.

President Jordan noted that the City Council decided at it's earlier work session to move Consent Agenda Item 11 (d) Resolution authorizing the City to enter into a contract with Garnet Electric Co., Inc., to provide labor, equipment, materials and incidentals necessary to construct the Parkway 46/12kV substation, in the amount of \$799,500.00, to be paid from budgeted funds, Account #353 - Transmission Plant Station Equipment, sponsored by Richard Morrissey to Regular Agenda 12 (d). President Jordan further noted that the Council also decided to remove Consent Agenda Item 11 (k) Resolution urging the University of Alabama System Board of Trustees and the University of Alabama at Birmingham President to reinstate the University of Alabama at Birmingham football, bowling and rifle programs, sponsored by Hermon Graham and to also remove Regular Agenda 12 (a) Ordinance rezoning 2.06 acres located behind the Shoals Chamber of Commerce on Hightower Place from R-2 (Single-Family Residential District) to R-B/CO (Residential Business District/Conditional Overlay), sponsored by Melissa Bailey.

There being no further changes, President Jordan asked for a motion for approval of the amended agenda. Councilmember Betterton moved for approval of the amended agenda. Councilmember Edwards 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 a press conference was held this morning at the Senior Citizen Center to announce that the City of Florence is now a designated Valley Sustainable Gold Community. Mayor further noted that this is an economic development program developed by TVA to document a community's assets and to increase the likelihood that they will be viewed as progressive and competitive by companies looking to invest in new or expanded locations.

Mayor Haddock read a Proclamation designating the month of April 2015 as "Earth" month and April 22, 2015 as "Earth" day. The Proclamation was received by Ms. Nancy Muse.

Mayor Haddock read a Proclamation designating the week of April 19-25, 2015, as "Parental Alienation Prevention" week and April 25, 2015 as "Parental Alienation Prevention" day. Mayor Haddock noted that this is sponsored by the Alabama Family Rights Association.

Mayor Haddock thanked those who participated in the clean up of the downtown Parking Deck last Saturday. Mayor Haddock noted that the clean up was sponsored by DFU. Mayor Haddock noted that in the coming weeks new lights will be installed in the Parking Deck.

Mayor Haddock announced that the City of Florence Code is now available online and can be viewed at florencial.org.

Report of Department Heads: None

Report of Standing Committee:

Councilmember Betterton, Chairperson of the Parks & Recreation Committee, report follows,
to wit:

Public Hearing:

President Jordan noted that it this the date and time advertised for the public hearing for the proposed rezoning of 2.06 acres located behind the Shoals Chamber of Commerce on Hightower Place from R-2 (Single-Family Residential District) to R-B/CO (Residential Business District/Conditional Overlay) as requested by Shoals Area Association of Realtors.

Melissa Bailey, Planning Director, appeared and stated that an R-B zone is limited to office uses only. Melissa Bailey further stated that the conditional overlay provides architectural design standards that protect the integrity of the surrounding area.

There were no public comments.

Business from the Floor Pertaining to Items on the Consent Ordinance Regular Agenda: None

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 Edwards 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 a Resolution to establish fees for the Florence Cemetery, sponsored by Todd Nix. 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 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 to declare as public nuisances properties located at 129 Minniehaha Street and 120 White Street, sponsored by Gary Williamson. Said Resolution follows, to wit:

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

Discussion:

Councilmember Graham made comments in support of the proposed resolution. Councilmember Graham stated that we hate to have to take this kind of action, but there are times that we have no choice.

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 Garnet Electric Co., Inc., to provide labor, equipment, materials and incidentals necessary to construct the Parkway 46/12kV substation, in the amount of \$799,500.00, to be paid from budgeted funds, Account #353 - Transmission Plant Station Equipment, sponsored by Richard Morrissey. Said Resolution follows, to wit:

Councilmember Edwards 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 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

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 EL CHARRITO MEXICAN RESTAURANT, LLC, d/b/a EL CHARRITO MEXICAN RESTAURANT, located at 3721 FLORENCE BOULEVARD, 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.

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 – Alcohol Beverage License Application for a Special Event to take place on April 21, 2015, with On-Premises Liquor-Beer-Wine, by RIVER HERITAGE HOTEL CORPORATION, d/b/a MARRIOTT SHOALS HOTEL & SPA, located at 15 HIGHTOWER PLACE, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Graham moved for immediate consideration of the foregoing Resolution.

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 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
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> |
|------------------|-----------------|------------------|----------------|
| Civil Service | Howard Robinson | 12/06/05 | 04/15 |
| Library Board | Margaret Lobo | 01/07/14 | 01/28/15 |
| Riverbend Center | Betty Robertson | 05/07/91 | 04/01/15 |

Business from the Public (5-minute time limit): None

Council Reports and Comments:

Councilmember Graham welcomed those in attendance to tonight’s meeting.

Councilmember Morris had no comments.

Councilmember Edwards had no comments.

Councilmember Betterton recognized those in attendance at tonight’s meeting from the “Leadership Shoals” group.

Councilmember Smith had no comments.

President Jordan also recognized those in attendance representing “Leadership Shoals.”

Councilmember Morris presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK