



**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
FEBRUARY 7, 2017**

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, February 7, 2017. President Jordan called the meeting to order. Councilmember Edwards 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: Kaytrina Simmons, William D. Jordan, David Bradley, Michelle Eubanks, Blake Edwards and Andrew Betterton.

AMENDED AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

February 7, 2017

5:00 P.M.

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1. Meeting called to order - President Jordan
 2. Invocation - Councilmember Edwards
 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 the property located at 3690 Highway 20 (Tract 1), 3745 Highway 20 (Tract 2), and the unaddressed property North of and adjoining Tract 2 (Tract 3) from R-1 (Single Family Residential) to B-2C/O (General Business w/conditions), as requested by the owners of said property.
 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 January 17, 2017, meeting.
 - (b) Confirm payment of bills by the City Treasurer.
 - (c) Resolution authorizing the City to enter into a contract with Ringers Garage Door Company, Inc., to provide labor, materials, equipment and incidentals necessary to install a metal exterior door and repair magnetic entry devices at Fire Station 1, in the amount of \$1,897.00, to be expensed to Account #266-42200, sponsored by Jeffrey Perkins.
 - (d) Resolution authorizing the City to enter into a contract with Municipal Emergency Services, Inc., to provide labor, materials, equipment and incidentals necessary to perform fit test on firefighter SCBA masks and flow test on FTSCBA air packs for the Florence Fire Department, in the amount of \$4,150.00, to be expensed to Account #1047-42200, sponsored by Jeffrey Perkins.
 - (e) Resolution authorizing the City to enter into a contract with Great Southern Recreation, LLC, to provide labor, materials, equipment and incidentals necessary to install two (2) slides at Deibert Park, in the amount of \$6,994.00, to be paid from budgeted funds, Account #1047-44725, sponsored by Todd Nix.
 - (f) Resolution to approve a proposed amendment to the agreement between the City of Florence and TVA (effective 12/1/16) for a special delivery point serving the River Bend Solar Project, sponsored by Richard Morrissey.
 - (g) Resolution to approve the Grant Application by the City of Florence to the Department of Homeland Security to receive CCTA (Complex Coordinated Terrorist Attacks) funds, in the amount of \$1,616,180.00, to be paid 100% from federal funds with no local match required, sponsored by Ron Tyler.
 - (h) Resolution to appoint James Webb to the Florence Tree Commission, sponsored by the City Council. **(This item was removed)**
 - (I) Resolution to reappoint David Doroh to the Florence Beautification Board, sponsored by the City Council.
 - (j) Resolution to reappoint Dee Hubbert to the Florence Beautification Board, sponsored by the City Council.
 - (k) Resolution to reappoint Margaret McCloy to the Florence Beautification Board, sponsored by the City Council.
 - (l) Resolution to advance and reimburse travel expenses to City employees, sponsored by Mayor Holt.
12. Regular Agenda
- (a) Ordinance rezoning property located at 3690 Highway 20 (Tract 1), 3745 Highway 20 (Tract 2) and the unaddressed property North of and adjoining Tract 2 (Tract 3) from R-1 (Single-Family Residential) to B-2/CO (General Business w/conditions), as requested by owners of said property, sponsored by Melissa Bailey. **(This item failed)**
13. General Business:
- (a) Resolution - Alcohol Beverage License Application for a Special Event called The Florence Wine Fest, with On-Premises Wine by CBJA HOLDINGS, d/b/a THE FLORENCE WINE FEST, to take place on Saturday, March 10th, 2017, and located at 121 to 123 E MOBILE ST, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
 - (b) Resolution - Alcohol Beverage License Application for the operation of a Package Store with Off-Premises Liquor, Beer & Wine by GOOD SPIRITS INC., d/b/a GOOD SPIRITS NO 3, located at 1441 OLD HUNTSVILLE ROAD, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
 - (c) Resolution - Alcohol Beverage License Application for a Special Event called The 2017 Hunting Heritage Banquet with On-Premises Liquor, Beer & Wine by NATIONAL WILD TURKEY FEDERATIONS, INC., to take place on Saturday, February 25, 2017 and located at 702 EAST VETERANS DRIVE, FLORENCE, AL 35630, sponsored by Robert M. Leyde. **(This item was added to tonight's agenda)**

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Agri-Business	Leonard Skipworth	06/03/08	11/15/16
Historical Board	Dr. Joseph Flippen	01/18/11	12/17/16
	Royce Helgemo	01/07/14	12/07/16
	Fran Nunnely	01/07/14	12/17/16
Library Board	Dihanne Westfield	11/15/11	12/01/16
SCOPE 310	Vacancy		
	Josh Webster	08/21/12	07/21/15
	Reginald Owens	04/01/14	07/21/16
Tree Commission	Vacancy		
	John Norton	11/05/13	11/03/16

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

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

- Council member Simmons
- Council member Bradley
- Council member Eubanks
- Council member Edwards
- Council member Betterton
- Council member Jordan

16. Motion to Adjourn.

President Jordan noted that it was decided at the earlier work session to remove Consent Agenda Item 11 (h) Resolution to appoint James Webb to the Florence Tree Commission, sponsored by the City Council and to add General Business Item 13 (c) Resolution - Alcohol Beverage License Application for a Special Event called The 2017 Hunting Heritage Banquet with On-Premises Liquor, Beer & Wine by NATIONAL WILD TURKEY FEDERATIONS, INC., to take place on Saturday, February 25, 2017 and located at 702 EAST VETERANS DRIVE, FLORENCE, AL 35630, sponsored by Robert M. Leyde.

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: Kaytrina Simmons
 William D. Jordan
 David Bradley
 Michelle Eubanks
 Blake Edwards
 Andrew Betterton

Noes: None

Message from the Mayor:

Mayor Holt made comments regarding recent visits with three businesses in Florence and the hiring of a Human Resource Manager. Mayor Holt stated that the visits have been very productive.

Report of Department Heads: None

Report of Standing Committee: None

Public Hearing:

President Jordan noted that this is the day and time advertised for a public hearing regarding the proposed rezoning of the property located at 3690 Highway 20 (Tract 1), 3745 Highway 20 (Tract 2), and the unaddressed property North of and adjoining Tract 2 (Tract 3) from R-1 (Single Family Residential) to B-2C/O (General Business w/conditions), as requested by the owners of said property.

Melissa Bailey, Planning Director, appeared and stated that this rezoning was denied by the Florence Planning Commission in 2016. Ms. Bailey stated that the owners of this property appealed the Planning Commission's decision to the City Council.

Ms. Regina Coates, representative of the property owners, made comments in favor of the proposed rezoning. Ms. Coats stated that the property owners are wanting this property to be rezoned commercial. Ms. Coats further stated that she does not understand the reasons for denying this rezoning. Ms. Coats stated that this property is not suitable for residential development because of the highway. Ms. Coats further stated that Dollar General Stores are a neighborhood friendly retail business and that the proposed development will enhance the property.

Mr. Gene Aycock, appeared and made comments in favor of the proposed rezoning. Mr. Aycock stated that the Alabama Department of Transportation does not have a problem with the proposed construction of a Dollar General Store at this location.

Mr. Travis Morris, appeared and made comments in favor of the proposed rezoning. Mr. Morris stated that he did not understand why this rezoning would not be approved.

Melissa Bailey, Planning Department, noted that one of the owners of the property had originally stated that they were not in favor of the rezoning. Ms. Bailey further noted that ALDOT had stated that they would look at the plans of the proposed construction. Ms. Bailey noted that her office had given Ms. Coats all written comments and minutes in regards to this proposed rezoning.

Councilmember Betterton made comments in opposition to the proposed rezoning. Councilmember Betterton noted that this proposed rezoning does not follow along with the City's master plan. Councilmember Betterton further noted that his concern is if we do not follow the master

plan with this rezoning and then we have other developers that request zoning changes that do not follow the master plan. Councilmember Betterton stated that he does not have a problem with the project but he is concerned with other changes that may come as a result of not following the master plan.

Melissa Bailey, Planning Director, stated that Mr. Kelly, one of the owners of the property, wrote a letter to the Planning Department stating that he did not consent for this property to be rezoned.

Councilmember Edwards stated that we have a master plan that has been in place for a long time and that the plan should be followed.

With no further comments, President Jordan closed the public hearing.

Business from the Floor Pertaining to Items on the Consent or 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: Kaytrina Simmons
William D. Jordan
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance rezoning property located at 3690 Highway 20 (Tract 1), 3745 Highway 20 (Tract 2) and the unaddressed property North of and adjoining Tract 2 (Tract 3) from R-1 (Single-Family Residential) to B-2/CO (General Business w/conditions), as requested by owners of said property, sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons
William D. Jordan
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Betterton moved for adoption of the foregoing Resolution.

Councilmember Bradley seconded the motion.

Discussion:

President Jordan made comments in opposition to the proposed ordinance. President Jordan stated that he is a strong advocate of creating and maintaining a strong master plan. President Jordan further stated that we need to follow the City's master plan.

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

Ayes: None

Noes: Kaytrina Simmons
William D. Jordan
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

City Clerk, Robert M. Leyde, presented a Resolution - Alcohol Beverage License Application for a Special Event called The Florence Wine Fest, with On-Premises Wine by CBJA HOLDINGS, d/b/a THE FLORENCE WINE FEST, to take place on Saturday, March 10th, 2017, and located at 121 to 123 E MOBILE ST, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Eubanks moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons
William D. Jordan
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Betterton moved for adoption of the foregoing Resolution.

Councilmember Jordan seconded the motion.

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

Ayes: Kaytrina Simmons
William D. Jordan
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution - Alcohol Beverage License Application for the operation of a Package Store with Off-Premises Liquor, Beer & Wine by GOOD SPIRITS INC., d/b/a GOOD SPIRITS NO 3, located at 1441 OLD HUNTSVILLE ROAD, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Eubanks moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons
William D. Jordan
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Eubanks moved for adoption of the foregoing Resolution. Councilmember Simmons seconded the motion.

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

Ayes: Kaytrina Simmons
William D. Jordan
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution - Alcohol Beverage License Application for a Special Event called The 2017 Hunting Heritage Banquet with On-Premises Liquor, Beer & Wine by NATIONAL WILD TURKEY FEDERATIONS, INC., to take place on Saturday, February 25, 2017 and located at 702 EAST VETERANS DRIVE, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons
William D. Jordan
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Betterton moved for adoption of the foregoing Resolution.

Councilmember Eubanks seconded the motion.

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

Ayes: Kaytrina Simmons
William D. Jordan
David Bradley
Michelle Eubanks
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>
Agri-Business	Leonard Skipworth	06/03/08	11/15/16
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	Fran Nunnelly	01/07/14	12/17/16
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SCOPE 310	Vacancy		
	Josh Webster	08/21/12	07/21/15
	Reginald Owens	04/01/14	07/21/16
Tree Commission	Vacancy		
	John Norton	11/05/13	11/03/16

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

Mr. Rogers Kimbrel, Davis Avenue, appeared and made comments in favor of the University of North Alabama purchasing the old Coffee High School property. Mr. Kimbrel stated that additional parking spaces are needed for Braly Stadium. Mr. Kimbrel further stated that a more suitable site needs to be found for the Florence Middle School.

Ms. Eva Knight, 2810 Waldrige Street, appeared and made comments regarding the Senior Center. Ms. Knight asked the City Council to not forget the Seniors and their need for a Senior Center.

Mr. Bill Smoak, appeared and made comments regarding the drainage study for the Florence/Lauderdale Industrial Park that was approved on November 1. Mr. Smoak stated that the study included the property for the proposed Animal Shelter. Mr. Smoak further stated that he would like to know the results of the study. Mr. Smoak stated that it is Lauderdale County's responsibility to prepare the site for the new Animal Shelter.

Mr. Smoak made comments regarding the tennis complex study. Mr. Smoak stated that he does not understand why the City of Florence is paying for the study.

Mr. Chase Holcombe, 308 Crossmore Drive, appeared and made comments regarding the Fireworks Ordinance. Mr. Holcombe stated that a twenty million-dollar insurance policy that is required by the Fireworks Ordinance would cost an individual \$15,000.00 to \$20,000.00 to sell fireworks. Mr. Holcombe further stated that the cost of the insurance policy is more than a fireworks stand would profit. Mr. Holcombe asked the Council to act swiftly and change the current ordinance.

Council Reports and Comments:

Councilmember Simmons thanked everyone who attended the District 1 Community meeting.

Councilmember Simmons thanked Mayor Holt for his update on the proposed Animal Shelter.

Councilmember Bradley thanked Mr. Kimbrell for his comments. Councilmember Bradley asked everyone to share their opinion regarding the Coffee High School property at the Florence School Board meeting on February 14. Councilmember Bradley stated that the Florence/Lauderdale Tourism Board should share in the cost of the tennis study. Councilmember Bradley further stated that the Council needs to look at the Fireworks Ordinance.

Councilmember Eubanks stated that she recently had a productive meeting with the owners of the Florence Mall. Councilmember Eubanks thanked everyone for their attendance at tonight's meeting.

Councilmember Edwards made comments regarding the proposed Animal Shelter. Councilmember Edwards stated that this project is moving forward.

Councilmember Betterton stated that he is excited about the development of the proposed Animal Shelter.

President Jordan thanked everyone for their attendance tonight.

Councilmember Edwards presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK