



**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
MAY 16, 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, May 16, 2017. 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: Kaytrina Simmons, William D. Jordan, David Bradley, Michelle Eubanks, Blake Edwards and Andrew Betterton.

AMENDED AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

May 16, 2017

5:00 P.M.

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1. Meeting called to order - President Jordan
 2. Invocation - Councilmember Eubanks
 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) Rezoning of 13 plus acres located at the West end of the unopened portion of the West Irvine Street Right of Way. To be rezoned from R-1 (Single Family Residential District) to R-3 (Multi-Family Residential District) as requested by Hensley Graves Holdings, LLC.
 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 2, 2017, meeting.
 - (b) Confirm payment of bills by the City Treasurer.
 - (c) Resolution to approve the Lauderdale County Mental Health Policy regarding a Community Mental Health Officer, sponsored by Chief Tyler.

- (d) Resolution to approve a contract with James E. Alexander Land Surveying LLC, for surveying and legal descriptions for the Edgemont and Weeden Place spot drainage projects, in the amount of \$1,960.00, to be paid from budgeted funds, Account #398-43110, sponsored by Bill Batson.
- (e) Resolution to approve a contract with Shotcrete of America, LLC, to provide labor, equipment, materials and incidentals necessary to demolish the structures and properly dispose of the debris, level the lots, and clean up at 37 South Eclipse Street, 318 Trade Street, 25 South Orleans Street, 510 and 514 South Pine Street, and 437 Georgia Avenue, in the amount of \$15,750.00, to be paid from Community Development Block Grant funds, sponsored by Melissa Bailey.
- (f) Resolution to approve a contract with Osmose Utilities Services, Inc., to provide labor, equipment, materials and incidentals necessary for the wood pole ground line treatment and pole restoration project for the Florence Utilities Electricity Department, to be paid according to a fee schedule from budgeted funds, Account #593 Maintenance of Overhead Lines, sponsored by Richard Morrissey.
- (g) Resolution to approve a contract with C & H Cooling & Heating, Inc., to provide labor, materials, equipment and incidentals necessary to replace one HVAC unit and repair other units at the Gas Department complex, in the amount of \$6,466.05, to be paid from budgeted funds, Account #390.00, Structures and Improvements., sponsored by Mike Doyle.
- (h) Resolution to approve a contract with Weeks Construction Company, Inc., to provide labor, equipment, materials and incidentals necessary for Contract #1 of the Economic Development Administration (EDA) Project for water and sewer infrastructure improvements to serve the North Alabama Medical Center site, in the amount of \$637,111.04, to be reimbursed through a 50/50 EDA grant and NAMC, sponsored by Mike Doyle. **(This item was moved to Regular Agenda 12 (d))**
- (i) Resolution to approve a contract with Oil Equipment Company, Inc., to provide labor, materials, equipment and incidentals necessary to replace two fuel pumps at the Florence Sanitary Landfill, in the amount not to exceed \$12,000.00, to be paid from expensed funds Account #16401-43200, sponsored by David Koonce.
- (j) Resolution to approve a contract with Oil Equipment Company, Inc., to provide labor, materials, equipment and incidentals necessary to replace two fuel pumps at the Florence Street Department, in the amount not to exceed \$12,000.00, to be paid from budgeted funds Account #117-1147-43120, sponsored by David Koonce.
- (k) Resolution to appoint John Van Sandt to the Board of Zoning Adjustments, 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 to rezone 13 plus acres located at the West end of the unopened portion of the West Irvine Street Right of Way. To be rezoned from R-1 (Single Family Residential District) to R-3 (Multi-Family Residential District) as requested by Hensley Graves Holdings, LLC, sponsored by Melissa Bailey.
- (b) Ordinance to amend Sec. 25-27 Sales tax holiday act, of the Code of Florence, Alabama, sponsored by Bob Leyde.
- (c) Resolution to approve a contract with the Community Action Agency of Northwest Alabama to provide transitional housing assistance and supportive services for homeless individuals and families, in accordance with the U. S. Housing and Urban Development 2017 Continuum of Care Program, sponsored by Melissa Bailey. **(This item was added to the Regular Agenda)**
- (d) Resolution to approve a contract with Weeks Construction Company, Inc., to provide labor, equipment, materials and incidentals necessary for Contract #1 of the Economic Development Administration (EDA) Project for water and sewer infrastructure improvements to serve the North Alabama Medical Center site, in the amount of \$637,111.04, to be reimbursed through a 50/50 EDA grant and NAMC, sponsored by Mike Doyle. **(This item was moved from Consent Agenda Item 11 (h))**

13. General Business:

- (a) Resolution to approve the operating budgets of the Gas Department and the Water and Wastewater Department for the fiscal year ending June 30, 2018, sponsored by Mayor Holt, Mike Doyle and Vance Young.
- (b) Resolution – Alcohol Beverage License Application for the operation of a Full-Menu Restaurant with On-Premises Liquor, Beer & Wine by HOOD ENTERPRISES INC., d/b/a THE RISING CRUST, located at 4136 FLORENCE BLVD., FLORENCE, AL 35634, 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>
Agri-Business	Vacancy		
Library Board (FL-Laud)	Dihanne Westfield	11/15/11	12/01/16
Port Authority	Dick Smith	07/17/12	07/21/17
SCOPE 310	Vacancy		
	Josh Webster	08/21/12	07/21/15
	Reginald Owens	04/01/14	07/21/16

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

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

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

16. Motion to Adjourn.

President Jordan noted that it was decided at the earlier work session to add Regular Agenda Item 12 (c) Resolution to approve a contract with the Community Action Agency of Northwest Alabama to provide transitional housing assistance and supportive services for homeless individuals and families, in accordance with the U. S. Housing and Urban Development 2017 Continuum of Care Program, sponsored by Melissa Bailey and to move Consent Agenda Item 11 (h) Resolution to approve a contract with Weeks Construction Company, Inc., to provide labor, equipment, materials and incidentals necessary for Contract #1 of the Economic Development Administration (EDA) Project for water and sewer infrastructure improvements to serve the North Alabama Medical Center site, in the amount of \$637,111.04, to be reimbursed through a 50/50 EDA grant and NAMC, sponsored by Mike Doyle to Regular Agenda Item 12 (d).

President Jordan asked for a motion for approval of the amended agenda. Councilmember Betterton moved for approval of the amended agenda. Councilmember Eubanks 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 invited everyone to come out and enjoy “Music in the Park” held every Wednesday during the summer at 11:00 a.m. in Wilson Park. Mayor Holt noted that there will be a Memorial Day Celebration on Monday, May 29, in Veterans Park, to honor our veterans.

Mayor Holt presented a Proclamation designating the week of May 14 - May 20 as “Law Enforcement” week and May 18 as “Peace Officers Memorial” day. The Proclamation was received by Deputy Chief Tim Shaddix.

Report of Department Heads:

Deputy Chief Tim Shaddix noted that “Peace Officers Memorial” event will be held on Friday, May 19 at 6:00 p.m. at the Memorial Grove. Deputy Chief Shaddix further noted that this event will recognize fallen Florence Police Officers that gave the ultimate sacrifice.

Sergeant Ira Davis presented a commendation of appreciation to volunteer, Mr. Dan Taylor, for his work at the firing range. Officer Lee Smith presented a commendation of appreciation to volunteer, Ms. Elaine Augustine, for her work at the Police Department.

Deputy Chief Shaddix swore in Officer Justin Adams, Officer Jordan Risener and Officer Ella Swan. Deputy Chief Shaddix noted that these officers recently graduated from the Police Academy.

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 the West end of the unopened portion of the West Irvine Street Right of Way to be rezoned from R-1 (Single Family Residential District) to R-3 (Multi-Family Residential District) as requested by Hensley Graves Holdings, LLC.

Melissa Bailey, Planning Director, stated that the proposed rezoning is for approximately 13 acres located at the end of West Irvine Avenue. Ms. Bailey further stated that the proposed development consists of eight residential buildings, one maintenance building and one club house for the pool. Ms. Bailey stated that the residential buildings will be three stories high with each floor being ten feet for a total of 30 feet. Ms. Bailey further stated that the residential buildings will contain 108 apartment units and will be a gated development. Ms. Bailey noted that the proposed development is for student housing but that the University of North Alabama is not a part of the development

Ms. Bailey noted that the proposed rezoning received Planning Commission approval at the March 28 Planning Commission meeting. Ms. Bailey further noted that a traffic study is required before final subdivision approval can be given.

Ben Graves, owner of the property, appeared and stated that the proposed development will be very considerate of the Wildwood On Cypress Subdivision residents. Mr. Graves further stated that the proposed development will have a sufficient buffer in regards to visual contact with the development. Mr. Graves stated that the only outside lights will be in the parking lot and the common area. Mr. Graves further stated that the developer, Mallory and Evans, will build a development that will be a wonderful option for UNA students. Mr. Graves also stated that this development will be the only gated complex in the area.

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments in favor of the proposed rezoning. Mr. Simpson stated he has been waiting for something good to happen in West Florence. Mr. Simpson further stated that Mayor Holt and the City Council will make sure everything is done correctly.

Ms. Sherry Clarke, Wildwood on Cypress, appeared and expressed her concerns regarding the noise from the complex and traffic on Waterloo Road. Ms. Clarke asked how much space there is from the development to the drop off.

Mr. Jimmy Hickman, Wildwood on Cypress, appeared and made comments regarding the height of the complex. Mr. Hickman stated that the complex will be higher than thirty feet because of the roof.

Mr. Bob Butler, 127 Wildwood Trail, appeared and questioned how far building numbers three, four and five are from the bluff.

Mr. Steve Eason, 123 Wildwood Trail, appeared and expressed his concern regarding noise and increased traffic. Mr. Eason stated that he can hear football games and the band at Braly Stadium. Mr. Eason further stated he is concerned that residents of the complex will take Cherokee Street to Waterloo Road as a short cut to UNA, therefore increasing traffic on Waterloo Road. Mr. Eason also questioned the distance from the complex to the bluff.

Mr. Steve White, 424 Park Ridge Road, appeared and also expressed concerns regarding lighting and noise. Mr. White asked who owned the property between the development and the creek.

Ms. Betty Johnson Potter, 928 West Irvine Avenue, appeared and expressed her concerns

regarding noise and increased traffic. Ms. Potter questioned why the Council would approve the rezoning before they had received the traffic study. Ms. Potter stated that the rezoning should not be approved until all questions have been answered.

Ms. Jean Gay Mussleman, 141 Wildwood Trail, appeared and asked if the proposed development is near the old landfill property.

Melissa Bailey, Planning Director, appeared and stated that this rezoning is for single-family and multi-family housing only and that a traffic study is mandatory for final subdivision approval. Ms. Bailey further stated that the subdivision approval process is separate from the rezoning process. Ms. Bailey also stated that the rezoning of this property is not the final step in the process.

Ms. Baily also stated that the maximum height, according to planning regulations, for the proposed development is forty-five feet. Ms. Bailey further stated that the proposed development is not even close to the old landfill property.

Mr. David McKenna of Mallory Evans Development, stated that their main objective is to support the college students. Mr. McKenna further stated that there will staff on the property 24 hours a day, seven days a week to address issues that may come up. Mr. McKenna also stated that the development will have no outside balconies and that most of the lighting will be in the parking area. Mr. McKenna further stated that the traffic study has been completed and submitted to the Engineering Department.

Mr. McKenna stated that Mallory Evans Development is a sixty-year-old company that owns numerous student housing complexes. Mr. McKenna further stated that the proposed complex will not be a party environment and that students must abide by the rules.

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 to rezone 13 plus acres located at the West end of the unopened portion of the West Irvine Street Right of Way. To be rezoned from R-1 (Single Family Residential District) to R-3 (Multi-Family Residential District) as requested by Hensley Graves Holdings, LLC, sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Simmons made a motion to remove the foregoing Ordinance from tonight's agenda. 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

President Jordan noted that this item was removed from tonight's agenda and will be held over until the June 6 Council meeting.

Councilmember Betterton left the meeting

City Clerk, Robert M. Leyde, presented an Ordinance to amend Sec. 25-27 Sales tax holiday acts, of the Code of Florence, Alabama, sponsored by Bob Leyde. Said Ordinance follows, to wit:

Councilmember Simmons moved for immediate consideration of the foregoing Ordinance.

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

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

Noes: None

Councilmember Bradley moved for adoption of the foregoing Ordinance. 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

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to approve a contract with the Community Action Agency of Northwest Alabama to provide transitional housing assistance and supportive services for homeless individuals and families, in accordance with the U. S. Housing and Urban Development 2017 Continuum of Care Program, sponsored by Melissa Bailey. Said Resolution follows, to wit:

Councilmember Simmons 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

Noes: None

Councilmember Bradley 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

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to approve a contract with Weeks Construction Company, Inc., to provide labor, equipment, materials and incidentals necessary for Contract #1 of the Economic Development Administration (EDA) Project for water and sewer infrastructure improvements to serve the North Alabama Medical Center site, in the amount of \$637,111.04, to be reimbursed through a 50/50 EDA grant and NAMC, sponsored by Mike Doyle. Said Resolution follows, to wit:

Councilmember Edwards 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

Noes: None

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

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

Ayes: Kaytrina Simmons
William D. Jordan
David Bradley
Blake Edwards

Noes: None

Abstain: Michelle Eubanks

City Clerk, Robert M. Leyde, presented a Resolution to approve the operating budgets of the Gas Department and the Water and Wastewater Department for the fiscal year ending June 30, 2018, sponsored by Mayor Holt, Mike Doyle and Vance Young. Said Resolution follows, to wit:

Councilmember Eubanks moved for immediate consideration of the foregoing Resolution.

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

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

Noes: None

Councilmember Edwards 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

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for the operation of a Full-Menu Restaurant with On-Premises Liquor, Beer & Wine by HOOD ENTERPRISES INC., d/b/a THE RISING CRUST, located at 4136 FLORENCE BLVD., FLORENCE, AL 35634, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Bradley 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

Noes: None

Councilmember Bradley moved for adoption of the foregoing Resolution. President 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

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	Vacancy		
Library Board (FL-Laud)	Dihanne Westfield	11/15/11	12/01/16
Port Authority	Dick Smith	07/17/12	07/21/17
SCOPE 310	Vacancy		
	Josh Webster	08/21/12	07/21/15
	Reginald Owens	04/01/14	07/21/16

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

Ms. Eva Knight, 2810 Waldrige Street, appeared and made comments regarding the Senior Center. Ms. Knight stated that she would like to know who is going to lead the charge in getting projects accomplished at the Senior Center.

Ms. Katrina Hudson, 1411 Huntsville Road, Rays at the Bank Restaurant, appeared and made comments regarding the roundabout planned for Huntsville Road. Ms. Hudson stated that she is very concerned for her business during the construction and after the roundabout is completed in regards to parking and access to her restaurant. Ms. Hudson further stated that she would like more information regarding the roundabout from the City.

Ms. Mary Mitchell, 1420 Huntsville Road, Seasons Restaurant, appeared and made comments regarding the roundabout planned for Huntsville Road. Ms. Mitchell stated that there are currently not enough parking spaces for the businesses in this area. Ms. Mitchell further stated that she wants to see this area grow economically but it will be unable to without adequate parking.

President Jordan asked Ms. Hudson and Ms. Mitchell to stay after the meeting and speak to Councilmember Bradley regarding their concerns.

Council Reports and Comments:

Councilmember Bradley congratulated Forest Hills School and Resource Officer Bryan Perry for being awarded the "Safe School" award. Councilmember Bradley noted that only seven schools in the State of Alabama received this honor.

Councilmember Bradley noted that parking in East Florence is an immediate concern. Councilmember Bradley stated that the parking issues need to be addressed before any major construction has begun. Councilmember Bradley further stated that he wants all businesses in District 3 to not only survive but to thrive. Councilmember Bradley thanked Ms. Hudson and Ms. Mitchell for coming tonight.

Councilmember Eubanks congratulated the three Police Officers who were sworn in tonight.

Councilmember Eubanks noted that “Arts Alive” and the “Storytelling Festival” is this weekend.

Councilmember Edwards thanked everyone for their attendance tonight. Councilmember Edwards stated that this Council wants to get the rezoning on West Irvine Avenue right. Councilmember Edwards recognized seniors from the “Club” that were in attendance.

Councilmember Simmons also thanked everyone for their attendance tonight. Councilmember Simmons stated that she would address concerns regarding the proposed rezoning of property located on West Irvine Avenue.

President Jordan thanked Melissa Bailey, Planning Director, and all those who spoke at the public hearing regarding the rezoning on West Irvine Avenue.

Councilmember Edwards presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK