



**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
SEPTEMBER 5, 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, September 5, 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

September 5, 2017

5:00 P.M.

-
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 3690 Highway 20 (tract 1), 3745 Highway 20 (tract 2) and north of 3745 Highway 20 (tract 3, no address), from B-1 (Neighborhood Business District) & R-1 (Single-Family Residential District) to B-2/CO (General Business District with Conditional Overlay).
 - (b) Proposed amendment to the Code of Florence, Al, as amended, Appendix C-Zoning, Sec. IV. Sign Regulations, establishing guidelines for Dynamic Signs.
 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 August 15, 2017, meeting.

- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution to approve the contract with C&H Cooling & Heating, Inc., to provide labor, equipment, materials and incidentals necessary to replace a 3.5 ton HVAC unit at Blackberry Trail Golf Shop, in the amount of \$7,400.00, to be paid from budgeted funds, Account # 1147-44730, sponsored by Todd Nix.
- (d) Resolution to approve the contract with Joe Pitts Tree Service to provide labor, equipment, materials and incidentals necessary to remove a damaged tree at the Florence Cemetery, in the amount of \$9,500.00, to be paid from budgeted funds, Account #265-43400, sponsored by Todd Nix.
- (e) Resolution to approve the contract with Shoals MPE Services to provide labor, equipment, materials and incidentals necessary to replace 140 linear feet of sanitary sewer line at the Florence-Lauderdale Coliseum, in the amount of \$5,000.00, to be paid from budgeted funds, Account #266-44410, sponsored by Todd Nix.
- (f) Resolution to approve the contract with Barnett Plumbing, LLC, to provide labor, equipment, materials and incidentals necessary to replace sewer and water lines to the Florence Fire Training Center, in the amount of \$3,000.00, to be paid from budgeted funds, Account #266-42200, sponsored by Jeffrey Perkins.
- (g) Resolution to approve the Extension Training Center Agreement between the City of Florence and the Alabama Fire College and Personnel Standards Commission, sponsored by Jeffrey Perkins.
- (h) Resolution to approve the contract with C&H Heating & Cooling, Inc., to provide labor, equipment, materials and incidentals necessary to repair a cooling unit at the Wilson Lake Raw Water Pump Station, in the amount of \$1,037.40, to be paid from budgeted funds, Account #652.00 - Equipment Maintenance Expense, sponsored by Mike Doyle.
- (i) Resolution to approve the contract with North Alabama Glass & Interiors, Inc., to provide labor, equipment, materials and incidentals necessary to replace four (4) windows in the Gas Department Administrative Building, in the amount of \$3,050.00, to be paid from budgeted funds, Account #390.00 - Structures & Improvements, sponsored by Mike Doyle.
- (j) Resolution to approve the contract with Mobile Container Service, Inc., to provide services for refurbishing dumpster containers, in the amount of \$30,000.00, to be paid from budgeted funds, Account #256-43200, sponsored by David Koonce.
- (k) Resolution to approve the contract with Athens Fence Company, Inc., to provide labor, equipment, materials and incidentals necessary to replace the cantilever gate rollers on the gate at the Florence Sanitary Landfill, in the amount of \$1,200.00, to be expensed to Account #260-43200, sponsored by David Koonce.
- (l) Resolution to approve the contract with Fence and Gate Company, LLC, to provide labor, equipment, materials and incidentals necessary to install fencing and a 24 foot cantilever gate closer at the Florence Utilities Electricity Department Warehouse Facility, in the amount of \$19,225.00, to be paid from budgeted funds, Account #390 - Structures & Improvements, sponsored by Richard Morrissey.
- (m) Resolution to approve the contract with Certified Alarm Co. Of Alabama, Inc., to provide labor, equipment, materials and incidentals necessary to replace both customer remotes and inside teller units in the drive through utility pay window, in the amount of \$11,939.40, to be paid from budgeted funds, Account #391.00 - Office Furniture & Equipment, sponsored by Vance Young.
- (n) Resolution to approve the contract with Revize LLC, for applications and features to be integrated into the City of Florence website, in the amount of \$21,500.00, to be paid from budgeted funds, Account #391.00 - Webpage Design & Rebuild, sponsored by Steve Price.
- (o) Resolution to approve the application for an FY 2017 Homeland Security Grant Program (HSGP) Grant from the Alabama Law Enforcement Agency, in the amount of \$50,000.00, sponsored by Ron Tyler.
- (p) Resolution to approve the contract with C&H Cooling & Heating, Inc., to provide labor, equipment, materials and incidentals necessary to install one (1) 130 ton Carrier 460V unit at the Florence/Lauderdale Public Library, in the amount of \$92,995.00, to be paid from budgeted Municipal Capital Improvement Funds, sponsored by Dan Barger.

- (q) Resolution to approve the contract with GRS Government Revenue Solutions, LLC, d/b/a RDS, for revenue administration services for the City of Florence, sponsored by Robert M. Leyde.
- ® Resolution to reappoint Macke Mauldin as a member of the Shoals Economic Development Authority, sponsored by the City Council.
- (s) Resolution to appoint Kaytrina Simmons as a member of the Shoals Economic Development Authority, sponsored by the City Council.
- (t) Resolution to advance and reimburse travel expenses to City employees, sponsored by Mayor Holt.

12. Regular Agenda

- (a) Ordinance to rezone 3690 Highway 20 (tract 1), 3745 Highway 20 (tract 2) and north of 3745 Highway 20 (tract 3, no address), from B-1 (Neighborhood Business District) & R-1 (Single-Family Residential District) to B-2/CO (General Business District with Conditional Overlay), sponsored by Melissa Bailey.
- (b) Ordinance to amend the Code of Florence, Alabama, as amended, Appendix C-Zoning, Sec. IV. Sign Regulations, establishing guidelines for Dynamic Signs, sponsored by Melissa Bailey.
- (c) Resolution to approve the expenditure of \$2,000,000.00 of Public Park Authority of the Shoals funds previously set aside for Veterans' Park on the Florence Conference Center, sponsored by Bill Musgrove.
- (d) Ordinance to grant a temporary easement to Mallory and Evans Development Ventures, LLC, to build a public street to provide new access to Wildwood Park to the public, sponsored by Bill Musgrove. **(This item was added to the agenda)**

13. General Business:

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

| <u>Board</u> | <u>Member</u> | <u>Appointed</u> | <u>Expires</u> |
|-----------------|-----------------|------------------|----------------|
| Agri-Business | Vacancy | | |
| Beautification | Gina Bailey | 08/02/16 | 11/01/17 |
| | Ralph Jones | 07/01/14 | 11/01/17 |
| | Brenda Tease | 10/20/15 | 11/01/17 |
| | Linda Van Sandt | 10/02/14 | 11/01/17 |
| SCOPE 310 | Vacancy | | |
| | Josh Webster | 08/21/12 | 07/21/15 |
| | Reginald Owens | 04/01/14 | 07/21/16 |
| Tree Commission | Preston Hillis | 02/03/09 | 11/03/17 |
| | Jacari Holt | 03/21/17 | 11/03/17 |

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

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

- Council member Edwards
- Council member Betterton
- Council member Simmons
- Council member Bradley
- Council member Eubanks
- 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 (d) Ordinance to grant a temporary easement to Mallory and Evans Development Ventures, LLC, to build a public street to provide new access to Wildwood Park to the public, sponsored by Bill Musgrove.

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 Simmons 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 presented a Proclamation designating the week of September 17-23, 2017, as “Constitution” week. The Proclamation was received by the local chapter of the Daughters of the American Revolution.

Mayor Holt presented a Proclamation designating the month of September, as “National Recovery” month. The Proclamation was received by Ms. Boyce Bradford, Regional Director of Bradford Health Services.

Report of Department Heads: none

Report of Standing Committee:

Councilmember Betterton, Chairperson of the Parks & Recreation Committee, comments follow, to wit:

Councilmember Bradley, Chairperson of the Public Safety Committee, comments follow, to wit:

Councilmember Edwards, Chairperson of the Utility Committee, comments follow, to wit:

Councilmember Eubanks, Chairperson of the Public Works Committee, comments, follow, to wit:

Councilmember Simmons, Chairperson of the Planning Committee, comments follow, to wit:

Public Hearing:

President Jordan noted that this was the day and time advertised to consider the proposed rezoning of 3690 Highway 20 (tract 1), 3745 Highway 20 (tract 2) and north of 3745 Highway 20 (tract 3, no address), from B-1 (Neighborhood Business District) & R-1 (Single-Family Residential District) to B-2/CO (General Business District with Conditional Overlay).

Melissa Bailey, Planning Director, stated the property of the proposed rezoning is outside the city limits of Florence but is in the Planning jurisdiction. Ms. Bailey further stated that there must be a minimum of six acres for property to be rezoned for commercial use, therefore the developer has requested the rezoning for the three tracts together which total 6.61 acres. Ms. Bailey noted that the proposed rezoning for commercial use in this area is not consistent with the City's Comprehensive Plan.

Ms. Regina Coats, Real Estate Agent representing the property owners, appeared and made comments in favor of the proposed rezoning. Ms. Coats stated that there are current businesses that are operating as a B-1 zone in the area. Ms. Coats further stated that the appearance of the corridor will improve with the development of the proposed business center. Ms. Coats also stated that the current water authority for that area has confirmed with the developers that they would have no problem supplying water to the proposed development.

Mr. Curtis Parkus, Representative of the Developer, appeared and stated that his company will meet all conditions stipulated by the Building Department, Planning Department and Alabama Department of Transportation. Mr. Parkus thanked the Building Department and Planning Department for their help.

There being no further comments from the public, President Jordan closed the public hearing.

President Jordan noted that this was the day and time advertised to consider the proposed amendment to the Code of Florence, AL, as amended, Appendix C-Zoning, Sec. IV. Sign Regulations, establishing guidelines for Dynamic Signs.

Melissa Bailey, Planning Director, made comments in support of the proposed sign amendment. Ms. Bailey stated that a dynamic sign is an electronic signage with scrolling images or messages. Ms. Bailey further stated that the proposed amendment will control visual distraction. Ms. Bailey noted that dynamic signs are permitted in B-1, B-2, I-1, I-2 zones as well as selected R-2 zones.

There being no comments from the public, President Jordan closed the public hearing.

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

Mr. Bill Smoak, 2424 Roberts Lane, appeared and made comments in opposition to Regular Agenda Item 12 (c) Resolution to approve the expenditure of \$2,000,000.00 of Public Park Authority of the Shoals funds previously set aside for Veterans' Park on the Florence Conference Center, sponsored by Bill Musgrove. Mr. Smoak stated that the Council should not give away two million dollars to the Conference Center. Mr. Smoak further stated that the development of Veterans Park should move forward.

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and also made comments in opposition to Regular Agenda Item 12 (c) Resolution to approve the expenditure of \$2,000,000.00 of Public Park Authority of the Shoals funds previously set aside for Veterans' Park on the Florence Conference Center, sponsored by Bill Musgrove. Mr. Simpson stated that the two million dollars should be used for Veterans Park.

Mr. John Hargett, North Wood Avenue, appeared and made comments in opposition to Regular Agenda Item 12 (c) Resolution to approve the expenditure of \$2,000,000.00 of Public Park Authority of the Shoals funds previously set aside for Veterans' Park on the Florence Conference Center, sponsored by Bill Musgrove. Mr. Hargett stated that the two million dollars should be spent redeveloping Veterans Park.

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 Bradley 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 3690 Highway 20 (tract 1), 3745 Highway 20 (tract 2) and north of 3745 Highway 20 (tract 3, no address), from B-1 (Neighborhood Business District) & R-1 (Single-Family Residential District) to B-2/CO (General Business District with Conditional Overlay), sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

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

President Jordan moved for adoption of the foregoing Ordinance. Councilmember Bradley seconded the motion.

Discussion:

Councilmember Edwards made comments in opposition to the proposed Ordinance.

Councilmember Edwards stated that approval of the proposed Ordinance could open a pandora's box.

Councilmember Bradley stated that a lot of people are asking for change.

President Jordan made comments in opposition to the proposed Ordinance. President Jordan stated that the rezoning does not conform to the City's master plan.

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

Ayes: None

Noes: William D. Jordan
Michelle Eubanks
Blake Edwards
Andrew Betterton

Abstain: Kaytrina Simmons
David Bradley

The Ordinance failed 0-4-2

City Clerk, Robert M. Leyde, presented an Ordinance to amend the Code of Florence, Alabama, as amended, Appendix C-Zoning, Sec. IV. Sign Regulations, establishing guidelines for Dynamic Signs, sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Eubanks moved for immediate consideration of the foregoing Ordinance.

Councilmember Betterton 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 Ordinance.

Councilmember Eubanks seconded the motion.

Discussion:

Councilmember Eubanks made comments in favor of the proposed Ordinance.

Councilmember Eubanks stated that the proposed Ordinance can always be amended.

President Jordan thanked the Building Department and the Planning Department for their work on the proposed ordinance.

There being no further 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 to approve the expenditure of \$2,000,000.00 of Public Park Authority of the Shoals funds previously set aside for Veterans' Park on the Florence Conference Center, sponsored by Bill Musgrove. 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 Simmons moved for adoption of the foregoing Resolution.

Councilmember Eubanks seconded the motion.

Discussion:

Councilmember Bradley made comments in support of the proposed Resolution.

Councilmember Bradley noted that the money is going to the Conference Center which will still help his district.

Councilmember Eubanks made comments in support of the proposed Resolution.

Councilmember Eubanks noted that the Conference Center is still owned by the City.

Councilmember Edwards also noted that the City still owns the Conference Center and we need to maintain it.

President Jordan stated that the Conference Center not only helps the City but also the hotel industry.

There being no further 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 an Ordinance to grant a temporary easement to Mallory and Evans Development Ventures, LLC, to build a public street to provide new access to Wildwood Park to the public, sponsored by Bill Musgrove. 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
Andrew Betterton

Noes: None

Councilmember Edwards moved for adoption of the foregoing Ordinance. 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
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 | Vacancy | | |
| Beautification | Gina Bailey | 08/02/16 | 11/01/17 |
| | Ralph Jones | 07/01/14 | 11/01/17 |
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| | Linda Van Sandt | 10/02/14 | 11/01/17 |
| SCOPE 310 | Vacancy | | |
| | Josh Webster | 08/21/12 | 07/21/15 |
| | Reginald Owens | 04/01/14 | 07/21/16 |
| Tree Commission | Preston Hillis | 02/03/09 | 11/03/17 |
| | Jacari Holt | 03/21/17 | 11/03/17 |

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

Ms. Eva Knight, 2810 Waldrige Street, spokesperson for the Florence Senior Center, appeared and her comments follow, to wit:

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made general comments regarding the Constitution and the Pledge of Allegiance.

Council Reports and Comments:

Councilmember Edwards had no comments.

Councilmember Betterton noted that this Council takes our positions seriously.

Councilmember Simmons invited everyone to attend the groundbreaking ceremony for the West Side Housing Development that will be held on September 20 at 4:00.

Councilmember Bradley thanked Ms. Knight and Mr. Simpson for their comments.

Councilmember Bradley stated that he is looking forward to the redevelopment of Veterans Park.

Councilmember Eubanks noted that there will be a District 4 Community meeting on Thursday, September 7 at 6:00 p.m.

President Jordan stated that he appreciates what Dr. Bronner has done for Alabama.

Councilmember Eubanks presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK