



**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
FEBRUARY 20, 2018**

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 20, 2018. President Pro Tem Simmons 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 five Councilmembers were present and a quorum was present with the following members of the City Council in attendance: Kaytrina Simmons, David Bradley, Michelle Eubanks, Blake Edwards and Andrew Betterton. William Jordan was absent.

AMENDED AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

February 20, 2018

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) Proposal to rezone .42 acres located south of 2567 Mall Road from R-1 (Single Family Residential District) to R-B (Residential Business District), as requested by Long Van Nguyen.
 - (b) Proposal to rezone .48 acres located west of 2567 Mall Road from R-1 (Single Family Residential District) to R-B (Residential Business District), as requested by Michael Hames.
 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 February 6, 2018, meeting.
- (b) Confirm payment of bills by the City Treasurer.

- (c) Resolution to approve the contract with Stuart C. Irby to perform annual tests on all hot line tools used in the distribution system operated by the Florence Electricity Department, in the amount listed in the proposal, to be paid from budgeted funds, Account #593 - Maintenance of overhead lines and Account #594 - Maintenance of underground lines, sponsored by Richard Morrissey.
- (d) Resolution to approve the contract with Shoals MPE Services, to provide labor, equipment, materials and incidentals necessary to replace five (5) toilets near Shelter 1 at McFarland Park, in the amount of \$4,400.00, to be paid from budgeted funds, Account #266-44725, sponsored by Todd Nix.
- (e) Resolution to approve the application for an Alabama Recycling Fund Grant from the Alabama Department of Environmental Management (ADEM), in the amount of \$166,474.35, with 25% matching funds, sponsored by David Koonce.
- (f) Resolution to approve the Education Affiliation Agreement between the City of Florence and RCHP-Florence, LLC, d/b/a Eliza Coffee Memorial and Shoals Hospital, to provide use of its facilities for Fire Department employees enrolled in the Emergency Medical Technician (EMT) degree program, sponsored by Jeffrey Perkins. **(This item was moved to Regular Agenda Item 12 (f))**
- (g) Resolution to approve the amendment of the contact with Shoals Ambulance Service to increase the maximum age of its ambulances from four years to five years and to increase the maximum mileage from 125,000 miles to 175,000 miles, sponsored by George Grabryan. **(This item was moved to Regular Agenda Item 12 (g))**
- (h) Resolution to approve budget amendments to the Emergency Shelter Grant (ESG) Program Sub-Recipient Funding Contracts, sponsored by Melissa Bailey.
- (i) Resolution to advance and reimburse travel expenses to City employees, sponsored by Mayor Holt.

12. Regular Agenda:

- (a) Ordinance to rezone .42 acres located south of 2567 Mall Road from R-1 (Single Family Residential District) to R-B (Residential Business District), sponsored by Melissa Bailey.
- (b) Ordinance to rezone .48 acres located west of 2567 Mall Road from R-1 (Single Family Residential District) to R-B (Residential Business District), sponsored by Melissa Bailey.
- (c) Resolution to approve an equipment lease between the City of Florence and Brindlee Mountain Fire Apparatus, LLC, to lease two pumper trucks for the fixed rent of \$220.00 per day, sponsored by Jeffrey Perkins. **(This item was added to the Regular Agenda)**
- (d) Resolution to approve a contract between the City of Florence and the Public Affairs Research Council of Alabama (PARCA) to collect and compare compensation data for the City's public safety personnel, sponsored by Mayor Holt. **(This item was added to the Regular Agenda)**
- (e) Resolution to oppose HB110 and SB130 bills which would expand the availability of SSUT (Simplified Sellers Use Tax) to businesses that currently owe local sales and use tax, sponsored by Mayor Holt. **(This item was added to the Regular Agenda)**
- (f) Resolution to approve the Education Affiliation Agreement between the City of Florence and RCHP-Florence, LLC, d/b/a Eliza Coffee Memorial and Shoals Hospital, to provide use of its facilities for Fire Department employees enrolled in the Emergency Medical Technician (EMT) degree program, sponsored by Jeffrey Perkins. **(This item was moved from Consent Agenda Item 11 (f))**
- (g) Resolution to approve the amendment of the contact with Shoals Ambulance Service to increase the maximum age of its ambulances from four years to five years and to increase the maximum mileage from 125,000 miles to 175,000 miles, sponsored by George Grabryan. **(This item was moved from Consent Agenda Item 11 (g))**

13. General Business:

(a) Resolution - Alcohol Beverage License Application for a Special Event with On-Premises Liquor-Beer-Wine, by NATIONAL WILD TURKEY FEDERATION INC., d/b/a 2018 HUNTING HERITAGE BANQUET, to take place on Saturday, February 24, 2018, located at 702 EAST VETERANS DRIVE (FLORENCE-LAUDERDALE COLISEUM), FLORENCE, AL 35630, sponsored by Robert M. Leyde.

(b) Resolution - Alcohol Beverage License Application for the operation of an Automobile Self-Service Station & Convenience Foods with Off-Premises Beer & Wine by SHASTRI INC., d/b/a EXXON, located at 2002 CHISHOLM ROAD, FLORENCE, AL 35630, sponsored by Robert M. Leyde.

(c)	<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
	Library Board (Reg)	Vacancy		
	SCOPE 310	Josh Webster	08/21/12	07/21/15

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

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

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

16. Motion to Adjourn.

President Pro Tem Simmons noted that it was decided at the earlier work session to add Regular Agenda Item 12 (c) Resolution to approve an equipment lease between the City of Florence and Brindlee Mountain Fire Apparatus, LLC, to lease two pumper trucks for the fixed rent of \$220.00 per day, sponsored by Jeffrey Perkins, Regular Agenda Item 12 (d) Resolution to approve a contract between the City of Florence and the Public Affairs Research Council of Alabama (PARCA) to collect and compare compensation data for the City's public safety personnel, sponsored by Mayor Holt and Regular Agenda Item 12 (e) Resolution to oppose HB110 and SB130 bills which would expand the availability of SSUT (Simplified Sellers Use Tax) to businesses that currently owe local sales and use tax, sponsored by Mayor Holt. President Pro Tem Simmons further noted that it was also decided to moved Consent Agenda Item 11 (f) Resolution to approve the Education Affiliation Agreement between the City of Florence and RCHP-Florence, LLC, d/b/a Eliza Coffee Memorial and Shoals Hospital, to provide use of its facilities for Fire Department employees enrolled in the Emergency Medical Technician (EMT) degree program to Regular Agenda Item 12 (f) and Consent Agenda Item 11 (g) Resolution to approve the amendment of the contact with Shoals Ambulance Service to increase the maximum age of its ambulances from four years to five years and to increase the maximum mileage from 125,000 miles to 175,000 miles to Regular Agenda Item 12 (g).

There being no further changes, President Pro Tem asked for a motion for approval of the amended agenda. Councilmember Betterton moved for approval of the amended agenda.

Councilmember Bradley seconded the motion.

There being no discussion, a vote taken thereon resulted as follows:

Ayes: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Message from the Mayor:

Mayor Holt presented a Proclamation designating the week of February 18 thru 24th as “National Arbor” week and Thursday, February 22 as “Arbor” day. The Proclamation was received by Mr. Dave Smith, Chairperson of the Florence Tree Commission.

Mayor Holt presented a Resolution in memory of former City Commissioner John C. Hamn, Jr. The Resolution was received by his wife, Mrs. Rebecca Hamn.

Mayor Holt noted that a Lawrenceburg Tennessee fire fighter recently lost his life fighting a structure fire. Mayor Holt further noted that eleven members of the Florence Fire Department went to Lawrenceburg to cover fire fighter shifts during his funeral.

Report of Department Heads: None

Report of Standing Committee:

Councilmember Bradley, Chairperson of the Public Safety Committee, stated the committee met on Friday, February 16. Councilmember Bradley noted that the topics of discussion were wayfinding signs for the Police Department and two new fire trucks for the Fire Department. Councilmember Bradley further noted that the committee voted unanimously to recommend to the Council that a resolution and contract be approved with Public Affairs Research Council of Alabama (PARCA) to collect and compare compensation data for the City’s public safety personnel. Councilmember Bradley stated that the resolution and contract are on tonight’s agenda. Councilmember Bradley also stated that on tonight’s agenda there is a contract to lease two fire trucks while repairs are being made to the current fleet.

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

Public Hearing:

President Pro Tem Simmons noted that this is the day and time advertised for a public hearing regarding the proposed rezoning of approximately .42 acres located south of 2567 Mall Road from R-1 (Single Family Residential District) to R-B (Residential Business District), as requested by Long Van Nguyen and the proposed rezoning of approximately .48 acres located west of 2567 Mall Road from R-1 (Single Family Residential District) to R-B (Residential Business District), as requested by Michael Hames.

Melissa Bailey, Planning Director, appeared and noted that the Florence Planning Commission voted unanimously to approve both rezonings.

There being no comments from the public, President Pro Tem Simmons 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 regarding the Council adding items to the agenda on the day of the meeting. Mr. Smoak stated that it is very unfair to the citizens because they are unable to view the changes.

Consent Agenda:

President Pro Tem Simmons 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 Eubanks seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

Ayes: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to rezone .42 acres located south of 2567 Mall Road from R-1 (Single Family Residential District) to R-B (Residential Business District), sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Edwards moved for immediate consideration of the foregoing Ordinance.

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

Ayes: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Eubanks 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
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to rezone .48 acres located west of 2567 Mall Road from R-1 (Single Family Residential District) to R-B (Residential Business District), sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

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

Ayes: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Eubanks 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: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented Resolution to approve an equipment lease between the City of Florence and Brindlee Mountain Fire Apparatus, LLC, to lease two pumper trucks for the fixed rent of \$220.00 per day, sponsored by Jeffrey Perkins. Said Resolution 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
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

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

Discussion:

Councilmember Bradley made comments in favor of the proposed resolution. Councilmember Bradley stated that due to the age and mechanical problems with a number of fire trucks, leasing the fire trucks will help the mechanic to make much needed repairs. Councilmember Bradley also stated that once the lease is approved, the fire trucks can be here in three or four days.

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

Ayes: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to approve a contract between the City of Florence and the Public Affairs Research Council of Alabama (PARCA) to collect and compare compensation data for the City's public safety personnel, sponsored by Mayor Holt. Said Resolution 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
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

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

Discussion:

Councilmember Eubanks made comments in favor of the proposed resolution. Councilmember Eubanks stated that this contract will give us a better idea how to properly fund the public safety employees. Councilmember Eubanks further stated that we should have the results in approximately four months.

Councilmember Bradley made comments in favor of the proposed resolution. Councilmember Bradley stated that PARCA was the only organization that could provide us with all of the services that we needed.

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

Ayes: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, Resolution to oppose HB110 and SB130 bills which would expand the availability of SSUT (Simplified Sellers Use Tax) to businesses that currently owe local sales and use tax, sponsored by Mayor Holt. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Eubanks 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
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to approve the Education Affiliation Agreement between the City of Florence and RCHP-Florence, LLC, d/b/a Eliza Coffee Memorial and Shoals Hospital, to provide use of its facilities for Fire Department employees enrolled in the Emergency Medical Technician (EMT) degree program, sponsored by Jeffrey Perkins. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

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
David Bradley
Blake Edwards
Andrew Betterton

Noes: None

Abstain: Michelle Eubanks

City Clerk, Robert M. Leyde, presented a Resolution to approve the amendment of the contract with Shoals Ambulance Service to increase the maximum age of its ambulances from four years to five years and to increase the maximum mileage from 125,000 miles to 175,000 miles, sponsored by George Grabryan. Said Resolution follows, to wit:

Councilmember Edwards moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

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
David Bradley
Blake Edwards
Andrew Betterton

Noes: None

Abstain: Michelle Eubanks

City Clerk, Robert M. Leyde, presented a Resolution - Alcohol Beverage License Application for a Special Event with On-Premises Liquor-Beer-Wine, by NATIONAL WILD TURKEY FEDERATION INC., d/b/a 2018 HUNTING HERITAGE BANQUET, to take place on Saturday, February 24, 2018, located at 702 EAST VETERANS DRIVE (FLORENCE-LAUDERDALE COLISEUM), FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Eubanks moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

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

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

Ayes: Kaytrina Simmons
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 an Automobile Self-Service Station & Convenience Foods with Off-Premises Beer & Wine by SHASTRI INC., d/b/a EXXON, located at 2002 CHISHOLM ROAD, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Bradley moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

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
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Library Board (Reg)	Vacancy		
SCOPE 310	Josh Webster	08/21/12	07/21/15

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

Mr. Bill Smoak, 2424 Roberts Lane, appeared and made comments in opposition to the Downtown Entertainment District ordinance that was approved at the last Council meeting. Mr. Smoak stated that he agreed with Councilmember Edwards on his “no” vote for the Entertainment District. Mr. Smoak further stated that the City Council should move to repeal the ordinance at the next Council meeting.

Mr. Smoak made comments regarding the property on Royal Avenue that the Council voted to purchase at the last Council meeting. Mr. Smoak stated that it did not list on the Council agenda the amount that was being paid or the fund that it was being paid from. Mr. Smoak further stated that the City should not be buying property to tear houses down to make more parking for Braly Stadium. Mr. Smoak asked why the City was paying for parking spaces for Braly Stadium when the Florence School Board and UNA own Braly Stadium.

Mr. Smoak made comments regarding the Police Department. Mr. Smoak stated that in a TimesDaily article dated August 24, 2017, Chief Tyler stated that there were twenty-six vacancies in the Police Department. Mr. Smoak asked if the City has the money to fund a fully staffed Police Department. Mr. Smoak stated that it was a little late for a study.

Mr. Smoak made comments regarding a transfer of two million dollars from reserves to special projects. Mr. Smoak asked the Council to name the projects with the dollar amount for each. Mr. Smoak stated that when the public asks questions at a Council meeting, the Council should answer the questions at the next Council meeting.

Mr. Sam Pendleton, 1934 Maple Avenue and former Councilmember, appeared and presented City Council minutes from a meeting that took place on December 20, 1983. Minutes follow, to wit:

Mr. Pendleton stated that he is not running for City Council. Mr. Pendleton stated that the Council can either agree or disagree with him, but do not ignore him. Mr. Pendleton encouraged the Council to read the minutes from 1983.

Mr. Pendleton stated that he had warned the Council last summer that they were going to have problems with the Fire and Police Department regarding salaries.

Mr. Pendleton made comments regarding District One. Mr. Pendleton stated that he supports Councilmember Simmons and the Bellamy housing project in West Florence. Mr. Pendleton further stated that the people who are complaining about the housing project needs to be patient until the project is completed.

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments regarding firearms. Mr. Simpson stated that we do not need to allow greed to take over our Nation. Mr. Simpson further stated that our society has too many guns and that he would like to see more protection for our children.

Council Reports and Comments:

Councilmember Betterton applauded the job that President Pro Tem Simmons did in leading the Council meeting. Councilmember Betterton noted that he is traveling with Mayor Holt tomorrow to Montgomery regarding the application for the certificate of need for ECM Hospital Cancer Center. Councilmember Betterton further noted that we have to figure out a way to handle the violence in our schools. Councilmember Betterton stated that there has to be a better way to address mental health issues.

Councilmember Bradley thanked everyone for coming tonight and also those who spoke tonight. Councilmember Bradley stated that the mental health issues need to change in this country. Councilmember Bradley asked everyone to pray for the families in Florida that were affected by the recent school shooting.

Councilmember Bradley made comments regarding the East Florence Streetscape project. Councilmember Bradley stated that he has met with the business owners and is trying to alleviate their concerns by directing them to the proper City departments.

Councilmember Bradley made comments regarding job vacancies at the Police Department. Councilmember Bradley noted that not as many people are applying for police jobs now compared to several years ago. Councilmember Bradley further noted that the study that PARCA will provide us with ways to address these issues such as salary and benefit packages.

Councilmember Eubanks noted that the Hermitage Drive Sidewalk project has begun. Councilmember Eubanks further noted that the Bicentennial Birthday Party for Florence will be held on Monday, March 12 at Wilson Park. Councilmember Eubanks invited everyone to attend.

Councilmember Edwards thanked Mr. Pendleton for his remarks. Councilmember Edwards made comments regarding HB 110 and SB 230. Councilmember Edwards stated that the State is trying to take money from cities. Councilmember Edwards further stated that the State is finding ways to reduce the amount of tax money that cities are receiving.

President Pro Tem Simmons thanked Mayor Holt, City Council, City Clerk and City Attorney for their help in the absence of President Jordan. President Pro Tem Simmons reminded everyone of the “Arbor” day celebration that will be held on Thursday. President Pro Tem Simmons also thanked Mr. Pendleton for his comments.

Councilmember Edwards presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK