



**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
JULY 10, 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, July 17, 2018. President Jordan called the meeting to order. Mayor Holt 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

July 17, 2018

5:00 P.M.

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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 the property located at 3920 Peach Street from R-2 (Single Family Residential) to B-2/CO (General Business with Conditional Overlay), as requested by AL Title Partners, 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 July 10, 2018, meeting.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution to approve the contract with Irons Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary to upgrade the interior and exterior lighting and electrical at the Broadway Recreation Center, in the amount of \$26,500.00, to be paid from budgeted Fund 117, Account #1147-44410, sponsored by Todd Nix. **(This item was moved to Regular Agenda 12 (c))**

- (d) Resolution to approve the contract with Shoals MPE Services, LLC, to provide labor, equipment, materials and incidentals necessary to repair a water line at the Deibert Park restrooms, in the amount of \$1,695.00, to be paid from budgeted funds, Account #260-44725, sponsored by Todd Nix.
- (e) Resolution to approve the contract with Jabco, Inc., Master Pools, to provide labor, equipment, materials and incidentals necessary to install pool tiles in the center pool at Handy Recreation Center, in the amount of \$1,501.17, to be paid from budgeted funds, Account #2260-44410, sponsored by Todd Nix.
- (f) Resolution to approve the contract with Jones Fence Enterprises, Inc., to provide labor, equipment, materials and incidentals necessary to install fencing and gates at one of the entrances to the Electricity Department warehouse complex on East Reeder Street, in the amount of \$7,731.87, to be paid from budgeted funds, Account #390 - Structures and Improvements, sponsored by Richard Morrissey.
- (g) Resolution to approve the Agreement between the City and Lauderdale County to allow the County to use the City's Spillman Directory, sponsored by Steve Price.
- (h) Resolution to approve two amendments to the Agreement between the City and AT&T, sponsored by Steve Price
- (i) Resolution to declare the properties located at 123 Whisperwood Trail and 714 Simpson Street as public nuisances and to demolish the buildings on said properties, sponsored by Gary Williamson.
- (j) Resolution to approve a license agreement with the University of North Alabama for the use of 177 parking spaces in the Downtown Parking Deck for additional UNA student parking from August 18, 2018, through May 12, 2019, in the amount of \$6.00 per month per space, for a total amount of \$9,558.00, sponsored by Robert M. Leyde.

12. Regular Agenda:

- (a) Resolution to support Lauderdale County applying for grant funds for the construction of additional lanes on U.S. Highway 72/State Route 2/Florence Boulevard from Indian Springs Subdivision to Harris Drive, sponsored by Mayor Holt. (THIS RESOLUTION DID NOT RECEIVE A UNANIMOUS VOTE FOR IMMEDIATE CONSIDERATION AT THE 07/10/18 COUNCIL MEETING. A VOTE FOR ADOPTION IS ALL THAT IS NEEDED AT THIS TIME.)
- (b) Ordinance to rezone the property located at 3920 Peach Street from R-2 (Single Family Residential) to B-2/CO (General Business with Conditional Overlay), sponsored by Melissa Bailey.
- (c) Resolution to approve the contract with Irons Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary to upgrade the interior and exterior lighting and electrical at the Broadway Recreation Center, in the amount of \$26,500.00, to be paid from budgeted Fund 117, Account #1147-44410, sponsored by Todd Nix. **(This item was moved from Consent Agenda Item 11 (c))**
- (d) Resolution to decline the bids for the Downtown Florence Streetscape Project, Phase III (East Tennessee Street), due to the amounts of both bids received were more than the funds the City had budgeted for the project, sponsored by Mayor Holt and City Council. **(This item was added to the Regular Agenda)**

13. General Business:

- (a) Alcohol Beverage License Application for the operation of a Lounge with On-Premises Liquor, Beer & Wine by Sweetwater Hookah Lounge, LLC d/b/a SWEETWATER HOOKAH LOUNGE, located at 1418 HUNTSVILLE Road, FLORENCE, AL 35630, sponsored by Robert M. Leyde.

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 Jordan noted that it was decided at the earlier work session to move Consent Agenda Item 11 (c) Resolution to approve the contract with Irons Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary to upgrade the interior and exterior lighting and electrical at the Broadway Recreation Center, in the amount of \$26,500.00, to be paid from budgeted Fund 117, Account #1147-44410, sponsored by Todd Nix to Regular Agenda Item 12 (c) and to add Regular Agenda Item 12 (d) Resolution to decline the bids for the Downtown Florence Streetscape Project, Phase III (East Tennessee Street), due to the amounts of both bids received was more than the funds the City had budgeted for the project, sponsored by Mayor Holt and City Council.

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

Noes: None

Message from the Mayor:

Mayor Holt welcomed everyone to the meeting. Mayor Holt noted that the City hosted a Cal Ripen Baseball Tournament last weekend at the Sportsplex and that there was a great turnout.

Mayor Holt stated that Huntsville Mayor Tommy Battle was in the area last week to give an overview of the proposed Toyota Plant. Mayor Holt further stated that the proposed plant will provide our area with a lot of opportunities.

Mayor Holt thanked the organizations that provide donations to the Animal Shelter. Mayor Holt noted without donations and volunteers it would be impossible for the Animal Shelter to provide services to our community.

Mayor Holt congratulated John David Bailey, son of Planning Director Melissa Bailey, on winning the tennis competition, junior male division, of the 2018 Alabama State Games. Mayor Holt noted that

John David will represent Alabama in the State of Games of America next year. Mayor Holt further noted that John David will enter the 12th grade this fall at Florence High School where he is a member of the varsity tennis team.

Report of Department Heads: None

Report of Standing Committee: None

Public Hearings:

President Jordan noted that this is the date and time advertised for a Public Hearing regarding the proposed rezoning of property located at 3920 Peach Street from R-2 (Single Family Residential District) to B-2/CO (General Business District with Conditional Overlay).

Melissa Bailey, Planning Director, noted that the Planning Commission voted unanimously to recommend the approval of the proposed rezoning. Ms. Bailey further noted that the proposed development is for a medical business with approximately 188 parking spaces.

Mr. George Wachter, 4010 Peachtree Street, appeared and made comments in opposition to the proposed rezoning. Mr. Wachter stated that the City Engineer, Bill Batson, has said that access to the property is not feasible. Mr. Wachter further stated that 188 parking spaces are a lot of vehicles in a neighborhood.

Ms. Bailey stated that according to City Engineer, Bill Batson's comments from the Planning Commission meeting, Mr. Batson agrees with the development's proposed access to the property.

After discussion between President Jordan, Councilmember Bradley and Ms. Bailey, President Jordan asked if there were any others who would like to speak. There being no further public comments, 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 regarding Consent Agenda Item 11 (a) Approval of minutes of the July 10, 2018, meeting. Mr. Smoak stated that he would like the wording of the Ordinance that was approved on July 10, 2018, regarding Animals to be changed.

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 a Resolution to support Lauderdale County applying for grant funds for the construction of additional lanes on U.S. Highway 72/State Route 2/Florence Boulevard from Indian Springs Subdivision to Harris Drive, sponsored by Mayor Holt. Said Resolution follows, to wit:

The proposed resolution did not receive a unanimous vote for immediate consideration at the 07/10/18 Council meeting. A vote for adoption is all that is needed at this time.

Councilmember Simmons moved for adoption of the foregoing Resolution.

Councilmember Betterton seconded the motion.

Discussion:

Councilmember Eubanks stated that she is glad that the highway will be widened regardless of what is on either side of the highway.

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 rezone the property located at 3920 Peach Street from R-2 (Single Family Residential) to B-2/CO (General Business with Conditional Overlay), sponsored by Melissa Bailey. Said Ordinance follows, to wit:

A motion for immediate consideration was not made on the proposed Ordinance, therefore, it will be carried over until the next City Council meeting.

City Clerk, Robert M. Leyde, presented a Resolution to approve the contract with Irons Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary to upgrade the interior and exterior lighting and electrical at the Broadway Recreation Center, in the amount of \$26,500.00, to be paid from budgeted Fund 117, Account #1147-44410, sponsored by Todd Nix. Said Resolution follows, to wit:

Councilmember Bradley 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
Andrew Betterton

Noes: None

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

Noes: None

Abstain: Andrew Betterton

City Clerk, Robert M. Leyde, presented a Resolution to decline the bids for the Downtown Florence Streetscape Project, Phase III (East Tennessee Street), due to the amounts of both bids received was more than the funds the City had budgeted for the project, sponsored by Mayor Holt and City Council. 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
Andrew Betterton

Noes: None

Councilmember Bradley 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: 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 Lounge with On-Premises Liquor, Beer & Wine by Sweetwater Hookah Lounge, LLC d/b/a SWEETWATER HOOKAH LOUNGE, located at 1418 HUNTSVILLE 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 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 Bradley moved for adoption of the foregoing Resolution.

President Jordan seconded the motion.

Discussion:

Councilmember Bradley made comments in favor of the proposed resolution. Councilmember Bradley stated that he had spoken to the owners and they have put his concerns at ease. Councilmember Bradley further stated that they have a sound business plan and will enlighten an already growing area.

President Jordan noted that before the Council approves any alcohol resolutions, all City departments have signed off on the alcohol beverage applications

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

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

Mr. Bill Smoak, 2424 Roberts Lane, appeared and made general comments regarding Shoals Ambulance Service.

Mr. George Abernathy, owner of Sweetwater Hookah Lounge, appeared and stated that this establishment will not be a club. Mr. Abernathy further stated that it is a lounge where you can watch sports on tv, enjoy a beverage and smoke a hookah with a variety of flavored tobaccos. Mr. Abernathy noted that there will be a doorman that will use a metal detector wand to check for weapons. Mr. Abernathy further noted that he and his partner are excited to bring something new to the area.

Council Reports and Comments:

Councilmember Betterton made comments regarding the roundabouts that he saw on his recent trip to Arizona. Councilmember Betterton noted that the roundabouts worked very well and that he is hopeful with the construction of the roundabout in East Florence.

Councilmember Betterton congratulated John David Bailey on his win at the 2018 Alabama State Games.

Councilmember Simmons also congratulated John David Bailey. Councilmember Simmons stated that the W. C. Handy Festival begins Sunday. Councilmember Simmons further stated that everyone should be mindful during the Handy Festival of the construction that is taking place on West College Street.

Councilmember Simmons noted that on July 26 the Handy Foundation will take over the Handy Museum. Councilmember Simmons asked everyone to stay hydrated and be safe during the Handy Festival. Councilmember Simmons also noted that the Bellamy Apartment Complex is basically at the end of construction.

Councilmember Bradley made comments regarding the proposed rezoning that was postponed tonight. Councilmember Bradley stated that more questions need to be answered before we vote on this matter. Councilmember Bradley further stated that we want new businesses in District 3 but we must be mindful of residents.

Councilmember Bradley thanked Mr. Abernathy for being a responsible business owner and for bringing something new and exciting to our area.

Councilmember Eubanks thanked the Florence Police Department for their hard work in keeping us safe, especially during the Handy events with many visitors from out of town.

Councilmember Edwards stated that he is interested in finding out more about hookahs. Councilmember Edwards further stated that the new Animal Services building is coming along and should be ready in the next few months. Councilmember Edwards thanked the volunteers who assist the Animal Shelter.

President Jordan extended his appreciation to the volunteers at the Animal Shelter. President Jordan also congratulated John David Bailey on his award.

Councilmember Edwards presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK