

**CITY OF FLORENCE  
MINUTES OF CITY COUNCIL  
July 21, 2009**

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 21, 2009. President Barnhart called the meeting to order. Councilmember Morris gave the invocation and led in the Pledge of Allegiance. Robert M. Leyde, City Clerk, performed the roll call and noted that all six Councilmembers were present and a quorum was present with the following members of the City Council in attendance: Sam Pendleton, Jr., William D. Jordan, Hermon T. Graham, Barry Morris, James H. Barnhart and Andrew Betterton.

**AMENDED AGENDA**

**CITY OF FLORENCE, ALABAMA**

**CITY COUNCIL MEETING**

**July 21, 2009**

**5:00 P. M.**

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1. Meeting called to order - President Barnhart
  2. Invocation - Police Chief Singleton
  3. Pledge of Allegiance
  4. Roll Call - President Barnhart
  5. Approval of Agenda
  6. Message from Mayor
  7. Reports of Department Heads
  8. Reports of Standing Committees
  9. Public Hearings:
    - (a) Rezoning of 100 Quail Run as requested by Hensley Properties LLC
    - (b) Rezoning of the NW corner of Chisholm Road and Quail Run as requested by Hensley Properties LLC
  10. Business from floor pertaining to items on the consent and regular agenda (5-minute 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 760-6400 for questions on Consent Agenda items prior to the Council meeting.

- (a) Approval of minutes of the Regular Meeting held on July 7, 2009.
- (b) Confirm payment of bills by the City Treasurer.

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- (c) Resolution authorizing the City to enter into a contract with Stone & Sons Electrical Contractors, Inc., to provide labor, equipment, materials and incidentals necessary for the installation of traffic signal systems at the Hough Road and Seville Street intersection and Hough Road and Sidney Street/Wal-Mart entrance intersection, in the amount of \$149,464.00 to be paid from budgeted funds, sponsored by Bill Batson.
- (d) Resolution authorizing the City to enter into a contract with Farmer Associates to provide a draft and a finalized draft of the Florence-Lauderdale Multi-Hazard Mitigation Plan for the Florence-Lauderdale Emergency Management Agency for submission to the Alabama Department of Environmental Management at a cost of \$22,000.00 to be paid from budgeted funds, sponsored by Melissa Bailey.
- (e) Resolution to approve an Agreement between the City of Florence and Lauderdale County for the purpose of updating the multi-jurisdictional plan for hazard mitigation, sponsored by Melissa Bailey.
- (f) Resolution authorizing the City to approve an Amendment to the Use Agreement with the Florence Marina City, Inc., sponsored by Todd Nix.
- (g) Resolution authorizing the appropriation from the City's Workers' Compensation Fund in the amount of \$267,000.00 to settle a workers' compensation claim filed by Jim Willis, sponsored by Barry Brewer and Bill Musgrove.
- (h) Resolution to approve a Host Agency Agreement between the City of Florence and the Northwest Alabama Council of Local Governments, sponsored by Mayor Irons and the City Council.
- (i) Resolution authorizing the City to enter into a Group Sales Agreement/Letter of Intent with the Marriott Shoals Hotel and Spa to provide accommodations for the Southeastern Law Enforcement Executive Development Seminar, sponsored by Chief Singleton.
- (j) Resolution to appropriate \$12,982.00 from the City Council and/or Mayor Special Projects Fund for the purchase of flashing school lights to be installed on Hermitage Drive, sponsored by William D. Jordan.
- (k) Resolution authorizing the City to make a Grant Application to the Alabama Department of Economic and Community Affairs Law Enforcement Planning, under the Omnibus Crime Control and Safe Streets Act of 1968 (P.O. 90-351 as amended), for continued assistance for the Lauderdale County Drug Task Force, sponsored by Chief Singleton.
- (l) Resolution to accept and approve grant funding from the Department of Homeland Security and the Federal Emergency Management Agency through the American Recovery and Reinvestment Act for a Firefighters Fire Station Construction Grant in the amount of \$4,140,310.00, sponsored by Chief Cochran.
- (m) Resolution to approve an application for renewal of excess workers' compensation coverage between the City and the Safety National Casualty Corporation, sponsored by Barry Brewer.
- (n) Resolution to approve a Special Deferred Emergency Repair Loan to Jessie Summerhill for emergency repairs to property located at 124 Burrell Street, in the amount of \$15,000.00, sponsored by Phil Stevenson.
- (o) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

- (a) Ordinance to rezone property located at 100 Quail Run, sponsored by Melissa Bailey.
- (b) Ordinance to rezone the NW corner of Chisholm Road and Quail Run, sponsored by Melissa Bailey.

13. General Business:

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
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City Historian

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

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

Councilmember Jordan  
 Councilmember Graham  
 Councilmember Morris  
 Councilmember Betterton  
 Councilmember Pendleton  
 Councilmember Barnhart

16. Motion to Adjourn.

President Barnhart noted that it was decided at the earlier Work Session to remove Consent Agenda item 11 (f) Resolution authorizing the City to approve an Amendment to the Use Agreement with the Florence Marina City, Inc., sponsored by Todd Nix and Consent Agenda Item 11 (l) Resolution to accept and approve grant funding from the Department of Homeland Security and the Federal Emergency Management Agency through the American Recovery and Reinvestment Act for a Firefighters Fire Station Construction Grant in the amount of \$4,140,310.00, sponsored by Chief Cochran from tonight's agenda.

There being no further changes, President Barnhart asked for a motion for approval of the amended agenda. Councilmember Betterton moved for approval of the agenda. Councilmember Graham seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.  
 Herman T. Graham  
 William D. Jordan  
 Barry Morris  
 James H. Barnhart  
 Andrew Betterton

Noes: None

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**Message from the Mayor:**

Mayor Irons presented a Proclamation recognizing the Florence Fire Department Heavy Rescue Team for completing the rigorous training exercises at the State Fire College in Tuscaloosa, Alabama. This Proclamation was received by Fire Chief Charles Cochran and members of the Heavy Rescue Team.

Mayor Irons presented a Proclamation designating Saturday, September 5, 2009, as Youth Empowered 2 Succeed Day. This Proclamation was received by Pastor Linda Law, Chair Person for the Y. E. S. Team. Mayor Irons noted that the event will be held in Wilson Park and will include a march through Downtown by the Y. E. S. participants.

Mayor Irons made comments regarding the W. C. Handy Festival that is taking place this week. Mayor Irons noted that there is well over 100 events planned for the W. C. Handy Festival.

Mayor Irons extended his sympathy to Mr. Mike Hollander of Comcast Cable. Mayor Irons stated that Mr. Hollander's mother passed away last week.

Mayor Irons made comments regarding our local economy. Mayor Irons stated that we are anticipating a balanced budget. Mayor Irons also stated that the Department Heads are currently working on a new budget. Mayor Irons encouraged the citizens of Florence to shop at home with our local merchants.

**Reports of Department Heads: None**

**Reports of Standing Committees: None**

**Public Hearings:**

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President Barnhart noted that this was the time and date, as advertised, for a public hearing regarding the proposed rezoning of the property located at 100 Quail Run as requested by Hensley Properties LLC and the proposed rezoning of the property located at the NW corner of Chisholm Road and Quail Run as requested by Hensley Properties LLC.

Melissa Bailey, Planning Director, stated that both of these rezonings are properties in the Hensley Estate. Ms. Bailey also stated that these properties are in a non-conforming properties, which means the land use did not fit the zoning designation. Ms. Bailey stated that the rezonings are to bring these properties into a confirming status so that the Hensley Estate can be settled.

Councilmember Pendleton thanked the Florence Planning Commission mailing letters to the surrounding property owners explaining this process.

President Barnhart stated that it is now time to entertain comments from the public regarding the rezoning at 100 Quail Run as requested by Hensley Properties LLC.

President Barnhart noted that there were no public comments.

President Barnhart stated that it is now time to entertain comments from the public regarding the rezoning at the NW corner of Chisholm Road and Quail Run as requested by Hensley Properties LLC.

President Barnhart noted that there were no public comments.

**Business from the Floor Pertaining to Items on the Consent or Regular Agenda:** None

**Consent Agenda:**

President Barnhart asked for a motion for approval of the Consent Agenda items. Councilmember Jordan moved for approval of (a) Approval of minutes of the Regular Meeting on July 7, 2009 and (b) Confirmation of payment of bills by the City Treasurer; and The ordinances and resolutions as follow, to-wit:

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Councilmember Betterton seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.  
Herman T. Graham  
William D. Jordan  
Barry Morris  
James H. Barnhart  
Andrew Betterton

Noes: None

**Regular Agenda:**

City Clerk, Robert M. Leyde, presented an Ordinance to rezone property located at 100 Quail Run, sponsored by Melissa Bailey. Said ordinance follows, to wit:

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Councilmember Graham moved for immediate consideration of the foregoing ordinance. Councilmember Jordan seconded the motion. A vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.  
Hermon T. Graham  
William D. Jordan  
Barry Morris  
James H Barnhart  
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing ordinance. Councilmember Betterton seconded the motion.

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

Ayes: Sam Pendleton, Jr.  
Hermon T. Graham  
William D. Jordan  
Barry Morris  
James H Barnhart  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to rezone the the NW corner of Chisholm Road and Quail Run, sponsored by Melissa Bailey. Said ordinance follows, to wit:

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Councilmember Graham moved for immediate consideration of the foregoing ordinance.

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

Ayes: Sam Pendleton, Jr.  
Hermon T. Graham  
William D. Jordan  
Barry Morris  
James H Barnhart  
Andrew Betterton

Noes: None

Councilmember Jordan moved for adoption of the foregoing ordinance. Councilmember Pendleton seconded the motion.

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

Ayes: Sam Pendleton, Jr.  
Hermon T. Graham  
William D. Jordan  
Barry Morris  
James H Barnhart  
Andrew Betterton

Noes: None

**Board Openings:**

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
City Historian			

**Business from the Public (5-minute time limit):** None

**Council Reports and/or Comments:**

Councilmember Jordan made comments in support of Consent Agenda Item 11 (j) Resolution to appropriate \$12,982.00 from the City Council and/or Mayor Special Projects Fund for the purchase of flashing school lights to be installed on Hermitage Drive. Councilmember Jordan thanked Mayor Irons for his support.

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Councilmember Graham congratulated the members of the Florence Fire Department Heavy Rescue Team for recently completing training exercises at the State Fire College in Tuscaloosa.

Councilmember Graham noted that the District 3 Community meeting has been re-scheduled for August 27<sup>th</sup>.

Councilmember Morris thanked Mayor Irons and City Managers for their work in reducing the City's budget.

Councilmember Morris congratulated our own native son, Stewart Cink, for recently winning the British Open Golf Tournament.

Councilmember Betterton also recognized Stewart Cink for his recent accomplishment.

Councilmember Betterton made comments in support of the W. C. Handy Festival taking place this week. Councilmember Betterton stated that the W. C. Handy Festival brings recognition to our City. Councilmember Betterton thanked Ms. Nancy Gonce and Ms. Torey Bailey for their work with the W. C. Handy Festival.

Councilmember Pendleton congratulated the members of the Florence Fire Department heavy Rescue Team. Councilmember Pendleton noted that the team is in need of a large rescue boat.

Councilmember Pendleton made comments concerning the recent rezoning of County Road 47 adjoining the Blackberry Trail Golf Course. Councilmember Pendleton stated that he is concerned with the traffic flow on Country Club Drive. Councilmember Pendleton also stated that we are not in the business to make the Developer money.

Councilmember Pendleton made comments concerning the Veteran's Memorial. Councilmember Pendleton asked Mayor Irons to contact Mr. Bronner on this matter.

President Barnhart recognized Ms. Martha Murphy and the Beautification Committee for keeping the downtown area clean during the W. C. Handy Festival.

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President Barnhart made a motion to adjourn the meeting. Councilmember Jordan seconded the motion. A vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.  
Hermon T. Graham  
William D. Jordan  
Barry Morris  
James H Barnhart  
Andrew Betterton

Noes: None

President Barnhart presented the closing prayer.

There being no further business the meeting was adjourned.

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ATTEST:

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CITY CLERK

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