

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
MARCH 2, 2010**

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, March 2, 2010. President Barnhart called the meeting to order. City Councilmember Jordan 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.

AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

March 2, 2010

5:00 P. M.

1. Meeting called to order - President Barnhart
2. Invocation - Councilmember Jordan
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:
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 February 16, 2010.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Kratos Defense and Security Solutions, Inc., to install software on a MSP Server, install licenses for 39 cameras and encode 14 cameras for a video surveillance system, to be paid from budgeted funds, sponsored by Steve Price.
- (d) Resolution authorizing the City to enter into a Joint Use Agreement with Bellsouth Telecommunications, Inc., DBA AT&T Alabama, sponsored by Richard Morrissey.
- (e) Resolution authorizing the City to enter into a Generation Partners Agreement with the Tennessee Valley Authority, sponsored by Richard Morrissey.

- (f) Resolution authorizing the City to enter into an agreement with Datamatic, LLC to provide equipment and services to pilot test the MOSAIC[®] Automatic Meter Reading system in the amount of \$32,992.40, to be paid from Gas and Water Department budgeted funds, \$15,616.00 from the Gas Department and \$17,376.40 from the Water Department, sponsored by Mike Doyle.
- (g) Resolution authorizing the City to settle the claim filed against the City by Bill Howard for an amount not to exceed \$20,000.00, to be paid from the City's Liability Insurance Fund, sponsored by Bill Musgrove.
- (h) Resolution to approve a Revised Special Deferred Emergency Repair Loan to Marilyn McClure, in the amount of \$8,140.00 for emergency repairs to property located at 1307 Park Street, sponsored by Phil Stevenson.
- (i) Resolution to approve an application for a FY 2009 Byrne JAG Program Grant from the Alabama Department of Economic and Community Affairs, Law Enforcement/Traffic Safety Division, in the amount of \$24,999.94, with no matching funds required, sponsored by Chief Singleton.
- (j) Resolution to appoint Priscilla L. Dulaney to the Florence-Lauderdale Tourism Board. **(This Item was Removed)**
- (k) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

13. General Business:

- (a) Resolution – Alcohol Beverage License Application for the operation of a Package Liquor Store with Off-Premises Liquor, Beer & Wine by CARLOS A. SANCHEZ, d/b/a BAMA SPIRITS, located at 3719 FLORENCE BLVD., FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (b) Resolution – Alcohol Beverage License Application for the operation of a Hotel/Motel Lounge with On-Premises Liquor, Beer & Wine by VISION HOSPITALITY PROPERTIES I, LLC, d/b/a RESIDENCE INN, located at 1000 SWEETWATER AVENUE, FLORENCE, AL 35630, 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>Expire</u>
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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.

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President Barnhart asked for a motion for approval of the agenda. Councilmember Betterton moved for approval of the agenda. Councilmember Jordan seconded the motion. There being no discussion, 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

Message from the Mayor:

Due to Mayor Irons being out of town, President Barnhart presented the following:

President Barnhart asked Ms. Rachel Mansell, Recycling Education Coordinator, to come forward. Ms. Mansell congratulated the City of Rogersville for starting a recycling program. Ms. Mansell reminded everyone of the City-Wide Clean Up Day on April 10th. Ms. Mansell noted that the City is looking for volunteers.

President Barnhart asked Ms. Debbie Wilson, Tourism Director, to come forward. Ms. Wilson introduced the new student intern, Ms. Allison Holt, of the Florence/Lauderdale Tourism Office. Ms. Allison gave a economic impact survey report for the FLW 2009 Stren Series Championship Fishing Tournament that was held on November 5th - 7th, 2009.

President Barnhart congratulated Police Chief Rick Singleton for being inducted into the Alabama Law Enforcement Torch Run for Special Olympics Hall of Fame on Thursday, February 18th, at the Birmingham Police Academy.

Reports of Department Heads: None

Reports of Department Heads: None

Reports of Standing Committees: None

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Public Hearings: None

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 Betterton moved for approval of (a) Approval of minutes of the Regular Meeting on February 16, 2010 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 Graham seconded the motion. There being no discussion, 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 noted that prior to the work session, Consent Agenda Item 11(j) was removed from the agenda.

Regular Agenda:

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for the operation of a Package Liquor Store with Off-Premises Liquor, Beer & Wine by CARLOS A. SANCHEZ, d/b/a BAMA SPIRITS, located at 3719 FLORENCE BLVD., FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

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Councilmember Pendleton moved for immediate consideration of the foregoing resolution.

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 Pendleton moved for adoption of the foregoing resolution.

Councilmember Jordan 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 a Resolution – Alcohol Beverage License Application for the operation of a Hotel/Motel Lounge with On-Premises Liquor, Beer & Wine by VISION HOSPITALITY PROPERTIES I, LLC, d/b/a RESIDENCE INN, located at 1000 SWEETWATER AVENUE, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

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Councilmember Graham moved for immediate consideration of the foregoing resolution.

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 resolution. 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: None

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

Ms. Vicky Atwood, General Manager of the Hampton Inn & Suites, appeared and made comments regarding the joint appointment to the Florence/Lauderdale Tourism Board. Ms. Atwood asked the City Council to consider appointing Mr. Joey Mecke. Ms. Atwood also presented a signed letter with all the general manager's signatures from local hotels supporting Mr. Mecke for this appointment. Ms. Atwood stated that Mr. Mecke is very involved in tourism.

Mr. Norman Ross, 133 Cypress Bend Place, appeared and made comments regarding Cypress Creek. Mr. Ross stated that he built a house on the creek after the current landfill was built. Mr. Ross stated that there is some type of pollution in all creeks, streams and rivers and it comes from many different sources. Mr. Ross stated that in twenty-five years, he has never seen evidence

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of pollution of the creek. Mr. Ross also stated that he can hear noise from the landfill and he does have buzzards roost in his back yard, both of which do not bother him. Mr. Ross challenged others to go to the creek and look for pollution and see the lay-out of the Country Club property. Mr. Ross stated that the 22.5 acres of the property to be used for the proposed landfill will be a quarter of a mile from the creek. Mr. Ross also stated that no one including Mayor Irons wants the creek polluted. Mr. Ross stated that everyone should rely on ADEM's recommendations.

Mr. Billy Ray Simpson, 1738 Ingleside Avenue, appeared and expressed his appreciation for all City workers. Mr. Simpson noted that problems can be dealt with if you have smart people. Mr. Simpson also noted that there are a lot of good things taking place on the west side of Florence. Mr. Simpson stated that trees and shrubs are being planted and dilapidated houses are being torn down.

Mr. Ricky Curtis, 145 Cypress Bend Place, appeared and made comments regarding transfer stations. Mr. Curtis read information from an article taken from a trade magazine regarding waste and sanitation. Mr. Curtis noted that cost and savings play a major role in the decision to build a transfer station. Mr. Curtis also noted that a transfer station may not be needed here in the City because of our close proximity to a regional landfill.

Mr. Miles Colcock, 126 Creekside Drive, appeared and made comments in reference to the 2008 Solid Waste report. Mr. Colcock noted that it has been seven years since the City has increased garbage rates. Mr. Colcock stated that we are due for an increase. Mr. Colcock noted that according to the report, there is room for one more cell in the current landfill. Mr. Colcock also noted that there is a lot of hidden costs to permanently closing a landfill.

Mr. Scott Ruffrage, 1720 Eunice Avenue, appeared and stated that he is very concerned about property values of those who live near the current landfill. Mr. Ruffrage stated that it is the pollution in the creek that we don't see that kills us. Mr. Ruffrage stated that according to Mayor Irons' comments and TimesDaily reports, the decision to expand the current landfill is five years away. Mr. Ruffrage also stated that it is irresponsible to wait five years to make a decision to expand the current landfill. Mr. Ruffrage stated that this decision needs to come to an end now. Mr. Ruffrage also stated that the City Council needs to form a citizen's committee to work with City Officials to come to the best answer for Florence.

Ms. Karen Lowery, Creekside Drive, appeared and made comments regarding property values of those who live near the landfill. Ms. Lowery stated that it is almost unbelievable that anyone could consider extending the landfill.

Council Reports and/or Comments:

Councilmember Jordan stated that he disagreed with some of Mr. Ross's statements.

Councilmember Jordan stated that he has recently seen tires, bags and bottles in the creek.

Councilmember Jordan also stated that the fact the proposed landfill expansion would be a quarter of a mile from the creek should be of concern. Councilmember Jordan also stated that the 22.5 acres of the proposed landfill expansion would come to about a 100 yards from the clubhouse.

Councilmember Jordan stated that if ADEM truly looks at the reports they will not expand the landfill. Councilmember Jordans expressed his approval to pursue a citizen's committee.

Councilmember Graham expressed his congratulations to Police Chief Singleton for his award for working with the Special Olympics.

Councilmember Graham stated that there is a movement to change the name of Weeden School to Singing River School. Councilmember Graham stated that he has received 20 to 25 e-mails, and phone calls that are against the name change. Councilmember Graham stated that we are proud of our tradition and our school. Councilmember Graham encouraged everyone to let the School Board know your opinion of the name change.

Councilmember Morris stated that Ms. Lou Batson, wife of former Mayor Bill Batson had surgery this morning and is doing very well.

Councilmember Morris made comments regarding the Tourism Board appointment. Councilmember Morris thanked the hoteliers for their recommendation.

Councilmember Morris made comments in support of a citizen's committee to discuss the proposed landfill expansion. Councilmember Morris stated that we should not wait five years, but that the time to decide is now.

Councilmember Morris made comments regarding the sale of ECM Hospital. Councilmember Morris stated that the decision will be made in three weeks. Councilmember Morris stated that the City Council will vote either to accept or to reject the offer from Regional Healthcare Group.

Councilmember Betterton stated that last Saturday he attended an Arbor Day celebration at the old Armory site. Councilmember Betterton stated that he was very impressed with what the Florence Police Department is doing with that site.

Councilmember Betterton thanked the City employees with all their assistance and their positive attitude with our public.

Councilmember Betterton reminded everyone of spring sign-ups with the Florence Parks & Recreation.

Councilmember Betterton made comments regarding the hospital decision. Councilmember

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Betterton stated that this decision will be the most important decision for our area in a very long time. Councilmember Betterton expressed his disappointment that one person was shown at the library to watch the web-cast and 190 people total tuned in to watch. Councilmember Betterton stated that this is a very important decision.

Councilmember Pendleton thanked Ms. Vicky Atwood and her hotel group for promoting Mr. Joey Mecke as a candidate for the Florence/Lauderdale Tourism Board.

Councilmember Pendleton made comments regarding the hospital decision.

Councilmember Pendleton stated that he does not see the sale as a loss. Councilmember Pendleton stated that Regional Healthcare offered the best proposal. Councilmember Pendleton stated that we must have a strong regional university, a strong hospital system and continue to develop a strong education system.

Councilmember Pendleton made comments regarding the proposed landfill expansion.

Councilmember Pendleton stated he does not believe that the pollution in Shoals Creek is coming from the landfill. Councilmember Pendleton also stated that the decision regarding the landfill will come down to economics.

President Barnhart had no comments

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Councilmember Graham made a motion to adjourn the meeting. Councilmember Morris seconded the motion. A vote taken thereon resulted as follows:

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

Noes: None

President Barnhart presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK