

**CITY OF FLORENCE  
MINUTES OF CITY COUNCIL  
May 4, 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, May 4, 2010. President Barnhart called the meeting to order. City Councilmember Betterton 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**

**May 4, 2010**

**5:00 P.M.**

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1. Meeting called to order - President Barnhart
  2. Invocation - Councilmember Betterton
  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 April 20, 2010.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Computer Support Systems, Inc., to provide labor, equipment, materials, and incidentals necessary to install fiber optic cable at the O'Neal/Coffee Park Sports Complex, in the amount of \$14,980.00, to be paid from budgeted funds, sponsored by Todd Nix.

- (d) Resolution authorizing the City to enter into a contract with Patterson and Dewar Engineers, Inc., to provide engineering services to update the City of Florence Utilities Electricity Department's long range plan including a load forecast of customers and capacity requirements and single contingency outages of all 46 kV transmission lines and 161–46kV sources as well as cost estimates for any proposed transmission and substation projects, in an amount not to exceed \$36,500.00, to be paid from budgeted funds, sponsored by Richard Morrissey.
- (e) Resolution authorizing the City to enter into a Memorandum of Understanding with the U.S. Marshals Service relative to the Regional Fugitive Task Force, sponsored by Chief Singleton.
- (f) Resolution authorizing the City to accept a Proposal with IE-Dynetics to perform a Network Security Penetration Test for the City's external network, in the amount of \$41,535.00 plus incurred expenses associated with the project, sponsored by Steve Price.
- (g) Resolution authorizing the City to enter into a contract with Certified Alarm Company of Alabama, Inc., to provide labor, equipment, materials, and incidentals necessary to install an intrusion detection system for the Water/Wastewater Warehouse, in the amount of \$1,985.00, sponsored by Mike Doyle.
- (h) Resolution to reappoint Thomas E. Darby to the Civil Service Board, sponsored by the City Council.
- (i) Resolution to reappoint Howard J. Robinson to the Civil Service Board, sponsored by the City Council.

12. Regular Agenda:

13. General Business:

- (a) Resolution to revise and amend the 1995 One Cent Sales Tax Capital Fund Fiscal Year 2009 – 2010 Budget adopted on October 6, 2009 to bring forward \$78,000 from the 2009 fiscal year the unexpended budget for improvements to the City's Skate Park, sponsored by Mayor Irons and Dan Barger.
- (b) Resolution to revise and amend the Economic Development Fund Fiscal Year 2009 – 2010 Budget adopted on October 6, 2009 to provide \$485,000 for the initial Engineering for the West Florence / College Street Extension project.
- (c) Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Zoning Adjustments	Kevin Mullins	07/07/09	05/17/10
	Sandy Noland	08/21/07	05/17/10

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

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

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

16. Motion to Adjourn.

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President Barnhart asked for a motion for approval of the agenda. Councilmember Graham moved for approval of the agenda. Councilmember Betterton 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:**

Mayor Irons' comments follows, to wit:

**Reports of Department Heads:**

Florence Fire Chief Charles Cochran made comments regarding the fire & rescue boat that the Fire Department received through a grant from Homeland Security. Chief Cochran also made comments regarding the barge that struck the Shoal Creek Bridge as a result of heavy rains and flooding.

Purchasing & Grants Administrator Phil Stevenson, representing David Koonce, Solid Waste & Recycle Director, stated that the City of Florence is in complete compliance with the operational requirements of the Florence Landfill. Mr. Stevenson also stated that ADEM will perform quarterly un-scheduled inspections. Mr. Stevenson stated that on this report, there are 47 items that received positive marks and there were no negative marks.

**Reports of Standing Committees:**

President Barnhart gave a report of the Public Works Committee meeting. Comments follow, to wit:

**Public Hearings:** None

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

Mr. Billy Ray Simpson appeared and made comments in favor of Regular Agenda Item 13 (b) Resolution to revise and amend the Economic Development Fund Fiscal Year 2009 – 2010 Budget adopted on October 6, 2009 to provide \$485,000 for the initial Engineering for the West Florence / College Street Extension project. Mr. Simpson stated that it is encouraging to see interest in the West Florence area. Mr. Simpson thanked Councilmember Pendleton for his hard work.

**Consent Agenda:**

President Barnhart asked for a motion for approval of the Consent Agenda items. Councilmember Graham moved for approval of (a) Approval of minutes of the Regular Meeting on April 20, 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 Betterton 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

**Regular Agenda:**

City Clerk, Robert M. Leyde, presented a Resolution to revise and amend the 1995 One Cent Sales Tax Capital Fund Fiscal Year 2009 – 2010 Budget adopted on October 6, 2009 to bring forward \$78,000 from the 2009 fiscal year the unexpended budget for improvements to the City's Skate Park, sponsored by Mayor Irons and Dan Barger. 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 Jordan moved for adoption of the foregoing resolution. Councilmember Pendleton seconded the motion.

**Discussion:**

Councilmember Pendleton stated that Mayor Irons had made a commitment that when the economy improved, the City would make improvements to the Skate Park.

There being no further 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 to revise and amend the Economic Development Fund Fiscal Year 2009 – 2010 Budget adopted on October 6, 2009 to provide \$485,000 for the initial Engineering for the West Florence / College Street Extension project. Said resolution follows, to wit:

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Councilmember Betterton moved for immediate consideration of the foregoing resolution.

Councilmember Pendleton 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 Betterton seconded the motion.

**Discussion:**

Councilmember Betterton made comments in support of the resolution. Councilmember Pendleton stated that this resolution would open up a whole new area of the community.

There being no further 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:**

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Zoning Adjustments	Kevin Mullins	07/07/09	05/17/10
	Sandy Noland	08/21/07	05/17/10



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

Mr. David Cope, 1750 Eunice Avenue, appeared and presented the City Council a 60 page report written by Mr. Tom Aley, Hydro Geologist, regarding the Florence Landfill to be placed in the official minutes. Mr. David Cope made comments and references to the report. Mr. Cope stated that when ADEM performs an inspection, they only inspect the Landfill and not the property surrounding the Landfill.

Mr. Charles Rose, Shoals Environmental Alliance, appeared and made comments quoting Mr. Tom Aley's report regarding the Florence Landfill. Mr. Rose stated that Mr. Aley's conclusions were that the Florence Landfill is a major source of water pollution on and off the Landfill site and that adjacent private land is being severely polluted.

Mr. John Crowder, 421 Nottingham Road, appeared and made comments regarding the report from Mr. Tom Aley. Mr. Crowder stated that there is a magnitude of difference regarding the rate of ground water flow beneath the landfill between Mr. Aley's report and the report from the private consulting firm HTSI which was contracted by the City of Florence.

Mr. Billy Ray Simpson, 738 Ingleside Avenue, appeared and made general comments. Mr. Simpson stated that he is very thankful for safe drinking water.

**Council Reports and/or Comments:**

Councilmember Pendleton extended Happy Mother's Day wishes to Mrs. Irons and all mothers.

Councilmember Pendleton made comments regarding water contamination. Councilmember Pendleton noted that because water may become contaminated does not mean that it is harmful to drink.

Councilmember Pendleton made comments regarding the new building project at the University of North Alabama. Councilmember Pendleton noted that Senator Shelby was very helpful in securing the federal funds for projects at the University of Alabama, University of Auburn and the University of South Alabama.

Councilmember Jordan thanked Mayor Irons for the "Teacher Appreciation Proclamation". Councilmember also thanked the Show Choir for their recent performances. Councilmember Jordan thanked Ms. Debbie Wilson, Florence/Lauderdale Tourism, and her staff for their excellent work at the recent "Bass Elite" fishing tournament that was held at McFarland Park.

Councilmember Graham thanked our local school teachers for their hard work. Councilmember Graham also noted that the District 1 Community meeting will be held in July and the new Drug Task Force Director, Mr. Tim Glover, will be in attendance.

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Councilmember Morris wished all mothers a Happy Mother's Day.

Councilmember Betterton applauded the students from Florence High School in attendance at tonight's meeting.

President Barnhart noted that the next City Council meeting will be held on May 25<sup>th</sup> because several City Councilmembers will be attending an Alabama League of Municipalities meeting on the third Tuesday of this month.

Councilmember made Betterton 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

Councilmember Pendleton 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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