

**CITY OF FLORENCE  
MINUTES OF CITY COUNCIL  
June 1, 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, June 1, 2010. President Barnhart called the meeting to order. President Barnhart 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**

**June 1, 2010**

**5:00 P.M.**

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1. Meeting called to order - President Barnhart
  2. Invocation - President Barnhart
  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 – Southeast corner of Park Street and Plum Street from R-2 (Single-Family District/Small Lots) to R-3 (Multi-Family Residential District) as requested by the Colbert/Lauderdale Attention Homes.
    - (b) Rezoning – Northeast corner of Holt Street and Martin Street from R-2 (Single-Family Residential/Small Lots) to B-2 (General Business District) as requested by Mitch Wade.
    - (c) Rezoning – 800 North Patton Street from I-1 (Light Industrial) to B-2 (General Business District) as requested by Milton Hearn.
  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 May 25, 2010.
    - (b) Confirm payment of bills by the City Treasurer.

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- (c) Resolution authorizing the City to enter into a contract with B and B Sprinkler and Landscape to provide labor, equipment, materials and incidentals necessary for the installation of concrete paver pathways and planting bed boarders at the Southall-Moore house, in the amount of \$6,184.95, to be paid from budgeted funds, sponsored by Paul Graham.
- (d) Resolution authorizing the City to enter into a contract with Gann's Discount Siding, Inc., to provide labor, equipment, materials and incidentals necessary to install new roofs on Shelters 1-3 at Martin Park, in the amount of \$3,800.00, to be paid from budgeted funds, sponsored by Todd Nix.
- (e) Resolution authorizing the City to enter into a contract with Shotcrete of America, LLC, to provide labor, equipment, materials and incidentals necessary to install a handicap ramp and install handrails behind the Southall-Moore House, in the amount of \$7,250.00, to be paid from budgeted funds, sponsored by Paul Graham.
- (f) Resolution to approve a Special Deferred Handicap Accessibility Loan to Daniel Smith in the amount of \$15,000.00 for handicap accessibility repairs to his property located at 713 Sweetwater Avenue, to be paid from Community Development funds, sponsored by Phil Stevenson.
- (g) Resolution to approve a Special Deferred Emergency Repair Loan to Mary Annette James in the amount of \$13,565.00 for emergency repairs to her property located at 1918 Cole Street, to be paid from Community Development funds, sponsored by Phil Stevenson.
- (h) Resolution to support the protection and re-authorization of the Forever Wild Program under Constitutional Amendment 543, thereby extending the Forever Wild Program's funding through legislative act, as presently provided under Constitutional Amendment 543 to support the purchase of additional conservation lands within Alabama, sponsored by Dick Jordan. **(This Item was moved to Regular Agenda Item 12 (d))**
- (i) Resolution to appoint Sandra Killen-Burroughs to the Florence-Lauderdale Tourism Board of Directors, sponsored by the City Council. **(This Item was moved to Regular Agenda Item 12 (e))**
- (j) Resolution to reappoint Kevin Mullins as a supernumerary member of the Board of Zoning Adjustments, sponsored by the City Council.
- (k) Resolution to reappoint Sandy O'Neal Noland as a supernumerary member of the Board of Zoning Adjustments, sponsored by the City Council.
- (l) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Ordinance to rezone the southeast corner of Park Street and Plum Street from R-2 (Single-Family District/Small Lots) to R-3 (Multi-Family Residential District), sponsored by Melissa Bailey.
- (b) Ordinance to rezone the northeast corner of Holt Street and Martin Street from R-2 (Single-Family Residential/Small Lots) to B-2 (General Business District), sponsored by Melissa Bailey.
- (c) Ordinance to rezone 800 North Patton Street from I-1 (Light Industrial) to B-2, sponsored by Melissa Bailey.

- (d) Resolution to support the protection and re-authorization of the Forever Wild Program under Constitutional Amendment 543, thereby extending the Forever Wild Program's funding through legislative act, as presently provided under Constitutional Amendment 543 to support the purchase of additional conservation lands within Alabama, sponsored by Dick Jordan. **(This Item was moved from Consent Agenda Item 11 (h))**
- (e) Resolution to appoint Sandra Killen-Burroughs to the Florence-Lauderdale Tourism Board of Directors, sponsored by the City Council. **(This Item was moved from Consent Agenda Item 11 (i))**

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>
Hospital Board	Thelma Robinson	07/01/1990	06/25/2010

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

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

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

16. Motion to Adjourn.

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 recognized Dr. Kendy Behrends on her retirement as the Florence School System Superintendent. Mayor Irons noted that Dr. Behrends has been in education since 1978.

Mayor Irons made comments regarding the 4<sup>th</sup> of July Spirit of Freedom Celebration. Mayor Irons stated that due to the over-whelming support from local sponsors, the Celebration will continue this year. Mayor Irons asked Ms. Debbie Wilson, Director of the Florence/Lauderdale Tourism, to come forward. Ms. Wilson thanked the local media for getting the word out in the community regarding the lack of funds for the 4<sup>th</sup> of July Spirit of Freedom Celebration. Ms. Wilson noted that without the sponsor's support, this event would not be possible.

Mayor Irons noted that "Music in the Park" is held in Wilson Park every Wednesday from 11:00 a.m. to 1:00 p.m.

Mayor Irons gave an economic update. Mayor Irons noted that sales tax revenue increased again this month. Mayor Irons also noted that it was a 3 ½% increase over the same month last year. Mayor Irons stated that this is a good sign that our economy is improving.

Councilmember Pendleton made comments in support of Dr. Kendy Behrends. Councilmember Pendleton commended her for her work with the Florence City School Board.

Councilmember Jordan made comments in support of Dr. Kendy Behrends. Councilmember Jordan stated that the City is going to miss her leadership. Councilmember Jordan also stated that the graduation rate is now 81%. Councilmember Jordan thanked Dr. Behrends for all of her hard work.

Councilmember Graham thanked Dr. Behrends for all of her accomplishments.

Councilmember Morris also thanked Dr. Behrends for all of her accomplishments.

Councilmember Betterton stated that he had the opportunity to serve on the Florence City School Board for seven years. Councilmember Betterton thanked Dr. Behrends for her hard work beginning with the Head Start Program through twelve grade.

President Barnhart stated that he hopes Dr. Behrends enjoys her retirement.

**Reports of Department Heads: None**

**Reports of Standing Committees:**

Councilmember Graham noted that the Utility Committee meeting will be held on Thursday, June 3<sup>rd</sup> at 12:00 noon in the Mayor's Conference Room.

**Public Hearings:**

President Barnhart noted that this is the date and time, as advertised, for a public hearing regarding the proposed rezoning of the Southeast corner of Park Street and Plum Street from R-2 (Single-Family District/Small Lots) to R-3 (Multi-Family Residential District) as requested by the Colbert/Lauderdale Attention Homes, the proposed rezoning of the Northeast corner of Holt Street and Martin Street from R-2 (Single-Family Residential/Small Lots) to B-2 (General Business District) as requested by Mitch Wade and the proposed rezoning of 800 North Patton Street from I-1 (Light Industrial) to B-2 (General Business District) as requested by Milton Hearn.

President Barnhart noted that there were no comments from the City Council or the public.

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

President Barnhart noted that it was decided at the earlier work session to move Consent Agenda Item 11 (h) Resolution to support the protection and re-authorization of the Forever Wild Program under Constitutional Amendment 543, thereby extending the Forever Wild Program's funding through legislative act, as presently provided under Constitutional Amendment 543 to support the purchase of additional conservation lands within Alabama, sponsored by Dick Jordan to Regular Agenda Item 12 (d) and Consent Agenda Item 11 (i) Resolution to appoint Sandra Killen-Burroughs to the Florence-Lauderdale Tourism Board of Directors, sponsored by the City Council to Regular Agenda Item 12 (e).

**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 May 25, 2010 and (b) Confirmation of payment of bills by the City Treasurer; and The ordinances and resolutions as follow, to-wit:

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

**Regular Agenda:**

City Clerk, Robert M. Leyde, presented an Ordinance to rezone the southeast corner of Park Street and Plum Street from R-2 (Single-Family District/Small Lots) to R-3 (Multi-Family Residential District), sponsored by Melissa Bailey. Said ordinance follows, to wit:

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Councilmember Pendleton 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 Pendleton moved for adoption of the foregoing Ordinance. 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 an Ordinance to rezone the northeast corner of Holt Street and Martin Street from R-2 (Single-Family Residential/Small Lots) to B-2 (General Business District), sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Pendleton 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 Graham moved for adoption of the foregoing Ordinance. Councilmember Pendleton seconded the motion.

**Discussion:**

Councilmember Pendleton made comments in support of the rezoning. Councilmember Pendleton noted that the property owner's recent renovations on this lot are beautiful.

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 an Ordinance to rezone 800 North Patton Street from I-1 (Light Industrial) to B-2 (General Business District), sponsored by Melissa Bailey. Said Ordinance follows, to wit:



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Councilmember Graham moved for immediate consideration of the foregoing ordinance.

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 Graham 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

City Clerk, Robert M. Leyde, presented a Resolution to support the protection and re-authorization of the Forever Wild Program under Constitutional Amendment 543, thereby extending the Forever Wild Program's funding through legislative act, as presently provided under Constitutional Amendment 543 to support the purchase of additional conservation lands within Alabama, sponsored by Dick Jordan. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing resolution.

Councilmember Graham 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 Jordan seconded the motion.

**Discussion:**

Councilmember Jordan made comments in favor of the resolution. Councilmember Jordan stated that it is his hope that with the support of this resolution, this organization can continue their work in our 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

City Clerk, Robert M. Leyde, presented a Resolution to appoint Sandra Killen Burroughs to the Florence-Lauderdale Tourism Board of Directors, sponsored by the City Council. Said Resolution follows, to wit:

Councilmember Morris moved for immediate consideration of the foregoing resolution.

Councilmember Graham 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 Jordan seconded the motion.

**Discussion:**

Councilmember Pendleton made comments in favor of this appointment. Councilmember Pendleton stated that he is looking forward to working with Ms. Burroughs.

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:**

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Hospital Board	Thelma Robinson	07/01/1990	06/25/2010

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

Mr. Billy Ray Simpson, 1738 Ingleside Avenue, appeared and made comments regarding children's safety during summer vacation. Mr. Simpson also expressed his appreciation to Dr. Kendy Behrends for her excellent work as Florence City School Superintendent. Mr. Simpson that Dr. Behrends has always had a very kind spirit.

Mr. Dennis Barnett, 132 Sandusky Way, appeared and made comments regarding drainage problems in the Creekwood Subdivision.

**Council Reports and/or Comments:**

Councilmember Graham again thanked Dr. Behrends for her hard work.

Councilmember Morris thanked Dr. Kendy Behrends for her work with the City of Florence School System. Councilmember Morris made comments in support of our military troops.

Councilmember Betterton stated that he will keep Mr. Barnett updated on the drainage problems and will hopefully get the problems resolved.

Councilmember Betterton noted that four member of the Florence City School Board were in attendance at tonight's meeting. Councilmember Betterton made comments regarding the Career Technical Program. Councilmember Betterton stated that it is very impressive of how the school system works with our community.

Councilmember Pendleton made comments regarding the Florence City School Board Members. Councilmember Pendleton stated that the Board Members realize that they are the "cogs in the wheel". Councilmember Pendleton also stated that this Board has an understanding of their job. Councilmember Pendleton thanked Dr. Behrends for the improvements to the schools located in West Florence.

Councilmember Jordan thanked Ms. Sandra Killen-Burroughs for being willing to serve on the Florence/Lauderdale Tourism Board, Ms. Debbie Wilson, Florence/Lauderdale Tourism Director, and the Florence/Lauderdale Tourism Board for all of their hard work.

Councilmember Jordan again thanked Dr. Behrends for her hard work and to the Florence School Board for their process of selecting a new superintendent.

President Barnhart thanked everyone for their attendance.

Councilmember Betterton made a motion to adjourn the meeting. Councilmember Graham 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 Graham presented the closing prayer.

There being no further business the meeting was adjourned.

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ATTEST:

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CITY CLERK