

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
September 7, 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, September 7, 2010. 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.

AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

September 7, 2010

5:00 P.M.

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1. Meeting called to order - President Barnhart
 2. Invocation - Councilmember Morris
 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 August 17, 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 Jones Fence Enterprises, Inc., to provide labor, equipment, materials, and incidentals necessary to repair approximately 690 linear feet of the vinyl fence along Clubhouse Drive at Blackberry Trail Golf Course in the amount of \$4,872.00, to be paid from budgeted funds, sponsored by Todd Nix.
- (d) Resolution authorizing the City to enter into a contract with Shoals Paving & Sealing, Inc., to provide labor, equipment, materials and incidentals necessary to patch, seal and stripe the parking lot at Broadway Recreation Center in the amount of \$5,060.00, to be paid from budgeted funds, sponsored by Todd Nix.
- (e) Resolution authorizing the City to enter into a contract with Bagby Elevator Company, Inc., Birmingham, Alabama, to provide labor, equipment, materials and incidentals necessary to disable the jail elevator in the Municipal Building, 110 West College Street, in the amount of \$2,992.00 to be paid from budgeted funds, sponsored by Gary Williamson.
- (f) Resolution authorizing the City to enter into a contract with Alabama Painting, Inc., to provide labor, equipment, materials and incidentals necessary for the O'Neal Bridge Project, Section 1; repainting the existing 8" Gas Line at O'Neal Bridge on SR 13/USR43 crossing Tennessee River, in the total contract amount of \$98,000.00, to be paid from budgeted funds, sponsored by Mike Doyle.
- (g) Resolution authorizing the City to enter into a contract with Wisener, LLC, to provide right-of-way acquisition services for the proposed sanitary sewer line relocation for the Alabama Department of Transportation's Helton Drive Widening Project, in the amount of \$5,500.00 (reimbursed 100% by ALDOT), sponsored by Mike Doyle.
- (h) Resolution authorizing the City to enter into a contract with the Northwest Alabama Council of Local Governments to provide public transportation along designated routes to the citizens of the City of Florence, sponsored by Mayor Irons.
- (i) Resolution authorizing the City to enter into an Agreement with Blue Source, LLC, for the purpose of developing a Landfill Gas Capture and Collection System at the Florence Landfill to derive economic benefits from any Emissions Reductions Benefits generated, sponsored by David Koonce.
- (j) Resolution authorizing the City to enter into an Agreement with TVA regarding the Time Differentiated Hours Use of Demand Pilot Program, sponsored by Richard Morrissey.
- (k) Resolution authorizing the City to approve a State of Alabama Home Energy Supplier Agreement Low-Income Home Energy Assistance Program (LIHEAP), between the City of Florence and ADECA, sponsored by Vance Young.
- (l) Resolution authorizing the City to approve a Commercial and Industrial Efficiency Advice and Incentive Agreement with the City of Florence and TVA, sponsored by Richard Morrissey.
- (m) Resolution authorizing the City to settle the lawsuit filed against the City by Dean Wood for an amount not to exceed \$47,500.00, sponsored by Bill Musgrove.

- (n) Resolution authorizing the City to approve the Real Estate Sales Contract between the City of Florence and the Estate of William O’Steen, Dossey O’Steen, Sr., and D. C. O’Steen, sponsored by Richard Morrissey.
- (o) Resolution authorizing the City to enter into a contract with Safeplace, Inc., for reimbursement in the amount of \$20,000.00 for construction of a security wall at the facility, in accordance with the approved Action Plan, sponsored by Phil Stevenson.
- (p) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Ordinance to lease Suite 308 in the Florence-Lauderdale Government Building located at 102 S. Court Street, Florence, AL to Bobo Realty, Inc., for a term of one year commencing on September 1, 2010 and ending on August 30, 2011, in the amount of \$4,752.00, sponsored by Dan Barger.
- (b) Ordinance to lease Suites 311 and 317 in the Florence-Lauderdale Government Building located at 102 S. Court Street, Florence, AL to Steve P. Morton, Jr., for a term of one year commencing on September 1, 2010 and ending on August 30, 2011, in the amount of \$13,260.00, sponsored by Dan Barger.
- (c) Ordinance to authorize and approve the conveyance of an easement over property located at the City Landfill, to the West Lauderdale Water and Fire Protection Authority, sponsored by Mike Doyle and David Koonce.
- (d) Ordinance authorizing the issuance of the City’s Water and Sewer Revenue Warrant, Series 2010-B-CWSRF-BL., the City’s Water and Sewer Revenue Warrant, Series 2010-C-CWSRF-BL, the City’s Water and Sewer Revenue Warrant, Series 2010-D-CWSRF-BL, and the City’s Sixth Supplemental Indenture securing said Warrants, sponsored by Vance Young and Mike Doyle.

13. General Business:

- (a) Resolution authorizing the City to appropriate the following sums for the Electricity Department Budget, reflecting projected revenues of \$113,859,500.00 and projected expenses of \$111,317,200.00 for fiscal year ending June 30, 2011, sponsored by Mayor Irons.

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Beautification Board	Vacancy		
Scope 310	Vacancy	07/21/92	07/21/10
Industrial Development	Rusty Carbine	06/02/92	04/05/10
	John Van Sandt	06/02/92	04/05/10

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

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

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

16. Motion to Adjourn.

President Barnhart noted that Consent Agenda Item 11 (k) should read with the City of Florence, AL and ADECA. President Barnhart asked for a motion for approval of the 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.
Hermon T. Graham
William D. Jordan
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

Message from the Mayor:

Mayor Irons' comments follow, to wit:

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Reports of Department Heads: None

Reports of Standing Committees:

Councilmember Graham's report regarding the recent Utilities Committee meeting follows,
to wit:

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 Graham moved for approval of (a) Approval of minutes of the Regular Meeting on August 17, 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 an Ordinance to lease Suite 308 in the Florence-Lauderdale Government Building located at 102 S. Court Street, Florence, AL to Bobo Realty, Inc., for a term of one year commencing on September 1, 2010 and ending on August 30, 2011, in the amount of \$4,752.00, sponsored by Dan Barger. Said Ordinance follows, to wit:

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Councilmember Jordan 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 Morris 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 Leyde presented an Ordinance to lease Suites 311 and 317 in the Florence-Lauderdale Government Building located at 102 S. Court Street, Florence, AL to Steve P. Morton, Jr., for a term of one year commencing on September 1, 2010 and ending on August 30, 2011, in the amount of \$13,260.00, sponsored by Dan Barger. Said Ordinance follows, to wit:

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Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

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 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 Leyde presented an Ordinance to authorize and approve the conveyance of an easement over property located at the City Landfill, to the West Lauderdale Water and Fire Protection Authority, sponsored by Mike Doyle and David Koonce. Said Ordinance follows, to wit:

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Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

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 Pendleton 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 Leyde presented an Ordinance authorizing the issuance of the City's Water and Sewer Revenue Warrant, Series 2010-B-CWSRF-BL., the City's Water and Sewer Revenue Warrant, Series 2010-C-CWSRF-BL, the City's Water and Sewer Revenue Warrant, Series 2010-D-CWSRF-BL, and the City's Sixth Supplemental Indenture securing said Warrants, sponsored by Vance Young and Mike Doyle. Said Ordinance follows, to wit:

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Councilmember Graham moved for immediate consideration of the foregoing Ordinance.

Councilmember Morris 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 Betterton moved for adoption of the foregoing Ordinance.

Councilmember Morris seconded the motion.

Discussion:

Councilmember Jordan made comments in support of the foregoing Ordinance.

Councilmember Jordan noted that this could be an estimated savings of \$1.7 million dollars for the Water/Wastewater Department. Councilmember Jordan also noted that this is a tremendous savings.

Councilmember Pendleton made comments in support of the foregoing Ordinance.

Councilmember Pendleton noted that we are being allowed to refinance at a lower rate due to the fact that the State of Alabama is lowering it's interest rate.

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 Leyde presented a Resolution authorizing the City to appropriate the following sums for the Electricity Department Budget, reflecting projected revenues of \$113,859,500.00 and projected expenses of \$111,317,200.00 for fiscal year ending June 30, 2011, sponsored by Mayor Irons. Said Resolution follows, to wit:

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Councilmember Graham moved for immediate consideration of the foregoing resolution.

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 resolution.

Councilmember Jordan seconded the motion.

Discussion:

Councilmember Morris noted that the Utilities Committee met at length with Mr. Morrissey, Electricity Manager and Mr. Young, Controller of Utilities, discussing this budget.

Councilmember Graham made comments in support of the Resolution. Councilmember Graham noted that looking back at the Electricity Department's budget twenty-five years ago, you will find that Florence has grown considerably.

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>
Beautification Board	Vacancy		
Scope 310	Vacancy	07/21/92	07/21/10
Industrial Development	Rusty Carbine	06/02/92	04/05/10
	John Van Sandt	06/02/92	04/05/10

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

Mr. Billy Ray Simpson, 1738 Ingleside Avenue, appeared and made general comments regarding City government. Mr. Simpson noted that good things are happening in Florence.

Council Reports and/or Comments:

Councilmember Morris congratulated Mr. Shaler Roberts, Executive Director for the Florence Housing Authority, on recently being named Executive Director of the Year by the Alabama Association of Housing and Redevelopment Authorities. Councilmember Morris also thanked Mayor Irons and Department Heads for keeping everyone informed of our City's finances .

Councilmember Betterton also congratulated Mr. Roberts and thanked Mayor Irons and Department Heads for their hard work and cooperation.

Councilmember Betterton made comments in support of First Fridays. Councilmember Betterton noted that there have been great crowds at this wonderful event.

Councilmember Betterton made comments regarding the new turf that was installed at Braly Stadium. Councilmember Betterton also noted that construction has begun on the new Attention Homes facility.

Councilmember Pendleton also congratulated Mr. Roberts for his appointment.

Councilmember Pendleton made comments regarding the economy. Councilmember Pendleton stated that he has faith that the economy will turn around.

Councilmember Pendleton made comments regarding the Florence Police Department. Councilmember Pendleton stated that we are doing a job in recruiting police officers, but we must work harder on retention and retirement. Councilmember Pendleton also stated that he had rather have police officers and not need them, as to need them and not have them.

Councilmember Pendleton stated that we need to build a first class Senior Citizens' building and we need to correct drainage problems.

Councilmember Jordan congratulated Mr. Roberts for his award. Councilmember Jordan stated that Mr. Roberts has done a lot of hard work for the City.

Councilmember Graham also commended Mr. Roberts for his hard work in our neighborhoods. Councilmember Graham also commended the City for "Going Green". Councilmember Graham commended Ms. Joyce Malone for her hard work.

President Barnhart commended Mr. Roberts for his award. President Barnhart also commended Mayor Irons for his hard work on the City's finances.

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Councilmember Betterton presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK