

**CITY OF FLORENCE  
MINUTES OF CITY COUNCIL  
December 21, 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, December 21, 2010. President Barnhart called the meeting to order. Florence Police Chief Rick Singleton 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**

**December 21, 2010**

**5:00 P.M.**

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1. Meeting called to order - President Barnhart
  2. Invocation - 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 8.50 acres of Pinehurst Addition to Muscle Shoals from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential).
  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 December 7, 2010. **(THIS ITEM WAS MOVED TO REGULAR AGENDA ITEM 12 (d))**
- (b) Confirm payment of bills by the City Treasurer. **(THIS ITEM WAS MOVED TO REGULAR AGENDA ITEM 12 (e))**

- (c) Resolution authorizing the City to approve a contract for sewer relocation at Retaining Wall Number 1 located on Helton Drive, Alabama Department of Transportation Contract STMOA-8834(600), between the City and T. J. Construction Company, Inc., to be reimbursed 100% by the Alabama Department of Transportation, sponsored by Mike Doyle.
- (d) Resolution authorizing the City to enter into a contract with Ronnie Gist, DBA Gist Excavating, to provide labor, equipment, materials and incidentals necessary to demolish the structures, level the lots and dispose fully of all debris on fifteen lots within the corporate limits of the City, in the amount of \$47,500.00, to be paid from budgeted funds, sponsored by Melissa Bailey. **(THIS ITEM WAS MOVED TO REGULAR AGENDA ITEM 12 (f))**
- (e) Resolution to approve a proposal for individual stop loss health insurance for a one year period, from HCC Life Insurance Company, for the annual premium of \$166,320.00, to be paid from budgeted funds, sponsored by Barry Brewer.
- (f) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Resolution authorizing the city to enter into a Letter of Engagement with Joe Jolly & Company, Inc., to provide investment banking services for the City of Florence relative to the issuance of General Obligation and/or Revenue Bonds or Warrants, sponsored by Dick Jordan, Barry Morris, and Sam Pendleton. **(THIS RESOLUTION DID NOT RECEIVE A UNANIMOUS VOTE FOR IMMEDIATE CONSIDERATION AT THE 12/07/10 COUNCIL MEETING. A VOTE FOR ADOPTION IS ALL THAT IS NEEDED AT THIS TIME.)**
- (b) Ordinance to rezone 8.50 acres located on Gresham Road 350 feet more or less west of the intersection of Seville Street, and part of Pinehurst Addition to Muscle Shoals from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential), sponsored by Melissa Bailey. **(THIS ORDINANCE WAS REMOVED BY THE SPONSOR)**
- (c) Resolution to vacate a portion of Blanchard Street, as shown on the plat of Forest Hills Addition, sponsored by Bill Musgrove.
- (d) Approval of minutes of the Regular Meeting held on December 7, 2010. **(THIS ITEM WAS MOVED FROM CONSENT AGENDA ITEM 11 (a))**
- (e) Confirm payment of bills by the City Treasurer. **(THIS ITEM WAS MOVED FROM CONSENT AGENDA ITEM 11(b))**
- (f) Resolution authorizing the City to enter into a contract with Ronnie Gist, DBA Gist Excavating, to provide labor, equipment, materials and incidentals necessary to demolish the structures, level the lots and dispose fully of all debris on fifteen lots within the corporate limits of the City, in the amount of \$47,500.00, to be paid from budgeted funds, sponsored by Melissa Bailey. **(THIS ITEM WAS MOVED FROM CONSENT AGENDA ITEM 11 (d))**

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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Beautification Board	Vacancy Vacancy		
Civil Service Board	Vacancy		
Historical Board	Julia Dowd	02/01/06	12/17/10
	Donna Thompson	02/21/06	12/17/10
	Kaye Hillis	03/02/99	12/17/10

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

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

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

16. Motion to Adjourn.

Councilmember Pendleton requested that the rules be suspended and allow him to speak during the Reports of Standing Committees regarding the landfill. President Barnhart asked for the approval of the suspension. Councilmember Morris moved for the approval of the suspension. Councilmember Jordan seconded the approval of the suspension. 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

Noes: Andrew Betterton

Prior to the approval of the agenda, President Barnhart noted that Regular Agenda Item 12 (b) was removed by the sponsor. Councilmember Pendleton requested that Consent Agenda Item 11 (a) Approval of minutes of the Regular Meeting held on December 7, 2010 was moved to the Regular Agenda Item 12 (d), Consent Agenda Item 11 (b) Confirm

payment of bills by the City Treasurer to the Regular Agenda Item 12 (e) and Consent Agenda Item 11 (d) Resolution authorizing the City to enter into a contract with Ronnie Gist, DBA Gist Excavating, to provide labor, equipment, materials and incidentals necessary to demolish the structures, level the lots and dispose fully of all debris on fifteen lots within the corporate limits of the City, in the amount of \$47,500.00, to be paid from budgeted funds, sponsored by Melissa Bailey to Regular Agenda Item 12 (f). There being no other changes, 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:**

Mayor Irons introduced Mr. Wally Turner, Director of Donor Recruitment for the Alabama and Central Gulf Coast regions of the American Red Cross. Mr. Turner recognized City Councilmember Andy Betterton for donating 25 gallons of blood.

Mayor Irons recognized Ms. Dee Hubbert for her recent selection for the "National Keep America Beautiful's *Mrs. Lyndon B. Johnson Award*."

Mayor Irons recognized Mike Doyle, Water/Wastewater Manager and Water Department Plant employees for recently receiving awards for continued excellence in operation at the Wilson Lake Water Treatment Plant and the Cypress Creek Water Treatment Plant.

Mayor Irons comments follow, to wit:

I would like to comment on the Agenda Item relating to a contract between the City and Joe Jolly & Company to handle the investment banking services for the City of Florence.

I am concerned about this type of contract because it is much more than a financial advisor contract. It includes bond underwriter services and eliminates competition for two years and does not specify the underwriter fees to be charged to the City. This allows the investment banker to determine the fee to be charged for their service. This is not sound financial management nor wise use of the tax payer dollars. It is not fulfilling our fiduciary responsibility to protect the assets of our City when we give an open contract that allows a contractor/vendor/professional to charge the City any fee that they wish to charge. For example, the City refinanced approximately \$23 million in General Obligation and Electricity bonds in May 2009 under the bid process with seven investment bankers bidding. The underwriters fees for the best bid was \$197,000. If the bonds had been issued under the old procedures without bidding, and we use the average fees that the City had been charged during the past 15 years, the City would have been charged an additional \$110,000 for this one bond issue. This resolution re-establishes the old contract procedure which prohibits the bid process.

These comments are in no way detrimental to Joe Jolly Company because they are a reputable investment banking company. My comments are directed toward the Mayor and Council fiscal responsibility in managing our citizens tax dollars.

I am not opposed to giving bond issues to Joe Jolly Company on an issue by issue basis as long as the City knows the fee structure up front and that the fees are competitive.

In support of my contention, I want to quote Mr. Robert Brooks, a finance professor at the University of Alabama and Mr. Jim Main, former State Finance Director for the State of Alabama. From the December 2007 issue of the Birmingham News, Mr. Brooke is quoted as saying that governments tend to get better deals when bond work is awarded through the bid process. He also stated that if everything was competitive, you've got a much more attractive cost structure. He said that he thinks competition would protect the elected officials and they could in good conscience know they have served the County/City well because they got the bids. (End of Quote)

Mr. Jim Main, former State Finance Director, said the State, by law, must award work for its bond sales through the public bid process. If it is important for the State to follow the bid process, then it must be important for the City also.

Both of these gentlemen's comments were related to the Jefferson County financial controversy where several people, both elected officials and investment bankers, were indicted due to corruption and fraud. There was also another major problem reported in the July 2006 Birmingham News for the State's 2-year college system associated with their bond business. The article pointed out that the 2-year college system did not bid out their bond business and the Vice Chancellor directed a majority of the bond business to her brother's investment banking firm, thereby, costing the State tax payers an estimated \$190,000 additional cost compared to bidding the bond business to other qualified bankers at a competitive fee.

Since that time, they have changed to a bid process system using the (RFP) request for proposal from the investment banking community. This is the same procedures that the City used in May 2009 and that we should continue to use in the future.

Based on sales data that I have reviewed, the fees for bond issues without competitively bidding are usually 30-40% higher than the fees on competitive bids. These fees are not insignificant amounts. The City of Florence had bond issues of \$148 million from 1990 to 2004 and over \$2 million in underwriter's fees. As you can see, paying 30-40% higher fees because you elect not to bid, can cost the City hundreds of thousands of dollars in excess cost. This is a very serious matter as it relates to controlling the cost of bond issues. The State of Alabama, the 2-year college system, and many other cities bid their bond issues so that they are guaranteed that the best cost structure has been achieved for their bonds and that they have fulfilled their fiduciary responsibility to their citizens.

Other professional services like engineers and architects are not given two year or four year contracts to perform all of the City's business with open ended fees to charge the City. They are employed one job at a time and usually have standard professional fee guidelines to follow for checks and balances on what the City is being charged.

I am not sure today how any personal contracts or bond issue for the City of Florence can be justified since City revenues are down \$1 million annually for the past 2 years and the recession is still in place. Cash flow required to make payments on a new bond issue is a real problem at this time and will be for the foreseeable future. Many cities across this nation are still in financial trouble and are cutting services to their citizens by laying off employees. We are still in a recession which is the worst this country has experienced since the great depression. If City revenues do not improve during this year, we will be faced with some hard decisions during our next fiscal year

because sufficient revenues will not be available to offset operating expenses required to maintain our current service levels to our citizens. This is another reason that we should not be trying to find ways to borrow and spend, but find ways to reduce cost and increase City revenues to protect our City's future. Committing the entire one cent capital sales tax fund to pay for long term debt and not leaving funds for on-going annual capital projects and emergency projects is not a wise decision.

I ask the Council to vote against this resolution and give further consideration to the positive financial impact of the bid process and to further review the economic condition of our community before any commitments are made for future spending on personal contracts and long term debt.

#### **Reports of Standing Committees:**

Councilmember Betterton, Chairperson of the Parks & Recreation Committee stated that the committee recently met and he would bring a full report to the next City Council meeting.

#### **Public Hearings:**

President Barnhart noted that this is the time and date, as advertised, for a public hearing regarding the proposed rezoning of 8.50 acres located on Gresham Road 350 feet more or less west of the intersection of Seville Street, and part of Pinehurst Addition to Muscle Shoals from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential) as requested by Shelby Warren.

Melissa Bailey, Planning Director, stated that this property is located just North of Home Depot on the corner of Gresham Road and North Seville Street. Ms. Bailey noted that this rezoning was approved unanimously by the Florence Planning Commission. Ms. Bailey also note that R-3 (Multi-Family Residential) allows multi-family structures to be built but no business type developments.

Councilmember Betterton asked about the entrance into the property. Ms. Bailey stated that there were sight concerns into the entrance of the property and additional rights of way was requested to the developer and the City's Engineer has approved these changes. Ms. Bailey also stated that there will be speed reduction through that area.

Mr. William A. Krieger, 910 County Road 46, appeared and asked if a road would come from this property onto Seville Street. Ms. Bailey stated that the Florence Planning

Commission did have an issue with the private drive that was planned from Seville Street.

Mr. Joe Rhodes, representative of the Developer, stated that there will no access from Seville Street.

Councilmember Pendleton made comments regarding the current Florence Landfill. Councilmember Pendleton stated that the jury in the West Florence Landfill case made the right decision. Councilmember Pendleton stated that there are problems that existed with the West Florence Landfill and the same problems now exist with the current landfill. Councilmember Pendleton stated he took the reports from the Environmental Group and from the firm that the City contracted to perform tests and compared them. Councilmember Pendleton stated that according to the reports, the City has problems with the current landfill. Councilmember Pendleton stated that he contacted David Koonce, Manager of Street, Solidwaste & Recycle, and told him that when he compared the reports he recommends that the City drill more test wells. Councilmember Pendleton also stated that the contract to drill more test wells was on the November 16<sup>th</sup> City Council Agenda. Councilmember Pendleton stated that the Council needs to sit down with the Environmentalists, Engineers and others to determine what actions need to be taken. Councilmember Pendleton stated that if a decision was needed today, he would recommend a transfer station to transport our waste or move toward an inert landfill. Councilmember Pendleton stated that another problem with the landfill is there is only one way in and one way out.

**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 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 a Resolution authorizing the city to enter into a Letter of Engagement with Joe Jolly & Company, Inc., to provide investment banking services for the City of Florence relative to the issuance of General Obligation and/or Revenue Bonds or Warrants, sponsored by Dick Jordan, Barry Morris, and Sam Pendleton.

**(THIS RESOLUTION DID NOT RECEIVE A UNANIMOUS VOTE FOR IMMEDIATE CONSIDERATION AT THE 12/07/10 COUNCIL MEETING. A VOTE FOR ADOPTION IS ALL THAT IS NEEDED AT THIS TIME.)** Said

Resolution follows, to wit:

Councilmember Jordan moved for adoption of the foregoing resolution.

Councilmember Pendleton seconded the motion.

**Discussion:**

Councilmember Graham made comments in opposition to the proposed resolution. Councilmember Graham stated that he can not support this resolution because our City's tax dollars need to be looked out for and if the City can get better deals by bidding bond issues out then that is what we should be doing especially with our economy being down.

Councilmember Pendleton made comments in favor of the proposed resolution. Councilmember Pendleton stated that Joe Jolly & Company is a local firm with offices here in Florence and has previously work very well for the City as well as the University of North Alabama.

Councilmember Jordan made comments in favor of the proposed resolution. Councilmember Jordan stated that Joe Jolly & Company has experience working with municipalities.

President Barnhart made comments in opposition to the proposed resolution. President Barnhart stated that he is not opposed to Joe Jolly & Company but stated that the City Council should hold off on this contract for a year or two or three. President Barnhart also stated that a lot of municipalities across the country are having money problems. President Barnhart stated that we need to concentrate on the needs of the public.

Councilmember Betterton made comments in favor of the proposed resolution. Councilmember Betterton stated that the City Council is just looking for good, solid investment advice and that we are not voting to spend dollars tonight.

Councilmember Morris' comments follow, to wit:

Councilmember Graham stated that Joe Jolly & Company are a very knowledgeable firm. Councilmember Graham stated that he was not going to sign a blank check because this was not his money but the public's money.

Councilmember Pendleton stated that he agrees with Councilmember Morris' comments. Councilmember Pendleton stated that this Council does not have any financial information regarding the City. Councilmember Pendleton stated that this City Council does not know anything about the City Employee's pension fund, the City's Health Insurance Fund or the City's Liability Fund.

President Barnhart stated that he appointed Councilmember Morris, Councilmember Jordan and Councilmember Pendleton to the Finance Committee and maybe they do not have financial information because they have not asked for the information. President Barnhart stated that the resolution reads that Joe Jolly & Company will provide investment banking services relative to the issuance of bonds and warrants means that someone is going to the bond market and borrow money. President Barnhart stated that he feels that borrowing is not a good idea at this time.

Councilmember Betterton called for the question.

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

Ayes: Sam Pendleton, Jr.  
William D. Jordan  
Barry Morris  
Andrew Betterton

Noes: Hermon T. Graham  
James H. Barnhart

City Clerk, Robert M. Leyde presented a Resolution to vacate a portion of Blanchard Street, as shown on the plat of Forest Hills Addition, sponsored by Bill Musgrove. Said Resolution follows, to wit:

Councilmember Betterton 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 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 a Resolution for the approval of minutes of the Regular Meeting held on December 7, 2010. **(This item was moved from the Consent Agenda Item 11 (a)).** Said Resolution follows, to wit:

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 Jordan moved for adoption of the foregoing resolution.  
Councilmember Betterton seconded the motion.

**Discussion:**

Councilmember Pendleton that City Employees have no protection. Councilmember Pendleton stated that in 2004 the City Council gave the Mayor control over the hiring and firing. Councilmember Pendleton stated that the City Council has no control if employees have grievances and problems. Councilmember Pendleton stated that we need to give due process back to the employees.

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 confirm payment of bills by the City Treasurer. **(THIS ITEM WAS MOVED FROM CONSENT AGENDA ITEM 11(b) Said Resolution follows, to wit:**

Councilmember Betterton 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.

**Discussion:**

Councilmember Pendleton asked that if we are in a depression then how were we able to have a \$280,000.00 surplus, give a 3 percent cost of living raise, step raises and increase in health care? President Barnhart stated that Councilmember Pendleton should know because he is on the Finance Committee.

Councilmember Pendleton stated Mayor Irons wants a large surplus and asked Department Heads to cut 10 or 15 percent out of the budget. Councilmember Pendleton stated that this is the reason we can't repair the restrooms at Veterans Park. Councilmember Pendleton stated that at last year's budget meeting Chief Singleton was told that if he would take two cars and two motorcycles out of his budget that we would give it to him at the next budget. Councilmember Pendleton stated that those items were not given back to him in this budget. Councilmember Morris stated that by law the City has to have a balanced budget and it is always good to have a surplus. Councilmember Morris stated that it is much better than some cities that have a deficit.

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 present a Resolution authorizing the City to enter into a contract with Ronnie Gist, DBA Gist Excavating, to provide labor, equipment, materials and incidentals necessary to demolish the structures, level the lots and dispose fully of all debris on fifteen lots within the corporate limits of the City, in the amount of \$47,500.00, to be paid from budgeted funds, sponsored by Melissa Bailey. **(THIS ITEM WAS MOVED FROM CONSENT AGENDA ITEM 11 (d)** Said Resolution follows, to wit:

Councilmember Betterton 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.

**Discussion:**

Councilmember Pendleton asked why Ms Bailey is the sponsor?  
Councilmember Pendleton stated that Community Development has been moved to Ms. Bailey's department. Councilmember Pendleton stated that for years the Community Development Office has been located in Phillip Stevenson's Department. Councilmember Pendleton noted that Ms. Bailey is not receiving a raise for handling Community Development.

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>
Beautification Board	Vacancy Vacancy		
Civil Service Board	Vacancy		
Historical Board	Julia Dowd	02/01/06	12/17/10
	Donna Thompson	02/21/06	12/17/10
	Kaye Hillis	03/02/99	12/17/10

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

Mr. Rand Chapin, 2320 Houston Street, appeared and made comments regarding the Veterans Memorial. Mr. Chapin thanked Mayor Irons and the members of the City Council for their support of the Veterans Memorial. Mr. Chapin also made comments regarding the lack of maintenance in Veterans Park. Mr. Chapin presented the City Council with photos of the lack of maintenance to Veterans Park. Mr. Chapin stated that the outdoor picnic tables have underbrush growing all around them. Mr. Chapin stated that he is not here to criticize but to inform Mayor Irons and the City Council of the conditions.

Mr. Rogers Kimbrell, 307 Davis Avenue, appeared and made positive comments regarding the City of Florence and the University of North Alabama. Mr. Kimbrell stated that the University is a good neighbor and that it has a significant financial impact on the City of Florence. Mr. Kimbrell stated that Mayor Irons is always positive and that he knows a lot about finances. Mr. Kimbrell also stated that Councilmember Pendleton needs to be more positive.

Mr. Sam Pendleton, City Councilmember, appeared as a citizen of Florence and made comments regarding the University Of North Alabama Police patrolling West Florence. Mr. Pendleton read from a TimesDaily Article dated April 25, 1994 noting the closing of several streets located near West Mobile Street due to riots and gun fire. Mr. Pendleton noted that all available Florence Police Officers, Lauderdale County Deputies, UNA Police Officers and the Alabama State Troopers were called to the scene. Councilmember Pendleton stated that after two hours control was regained and officers

spent the night patrolling the area. Councilmember Pendleton stated that was how it used to be in West Florence. Councilmember Pendleton stated that when people ask what Sam has done, this is an example of what he has done.

Mr. Billy Ray Simpson, 1738 Ingleside Avenue, appeared and made comments regarding how the City Council governs the City. Mr. Simpson stated that after the holidays, everyone should study Councilmember Pendleton's comments and make some changes. Mr. Simpson stated that he appreciates Mayor Irons and every member of the City Council.

**Council Reports and/or Comments:**

Councilmember Betterton thanked Mr. Chapin for his comments regarding the Veterans Park. Councilmember Betterton also stated that he felt very humble tonight being recognized for his years of blood donations. Councilmember Betterton read from a card that he received from a person who was diagnosed with cancer who must receive blood and platelet on a regular basis who expressed his gratitude to everyone who donates blood. Councilmember Betterton expressed his gratitude to everyone who donates blood. Councilmember Betterton left the meeting after his comments to attend the wrap-up to his Blood Drive at the First United Methodist Church.

Councilmember Pendleton made comments regarding Mayor Irons and his reelection. Councilmember Pendleton submitted copies of Mayor Irons' comments regarding the use of the former Florence Golf & Country Club property as offices for the Street and Solidwaste Department. Comments follow, to wit:

Councilmember Pendleton stated he hopes that Mayor Irons does not get reelected.

Councilmember Pendleton stated that Mayor Irons was saying that it was his way or the highway. Councilmember Pendleton also stated that Mayor Irons was telling the public that he had done all these great things and that no one can beat me. Councilmember Pendleton stated that when you mention Mayor Irons' name everyone associates him with Reynolds Metals not the City of Florence.

Councilmember Jordan congratulated Councilmember Betterton, Ms. Dee Hubbert and Mr. Bradley Elliott who were recognized tonight. Councilmember Jordan also thanked Mr. Randy Chapin for his comments regarding the Veterans Memorial. Councilmember Jordan stated that Veterans Park does need to be maintained.

Councilmember Jordan made comments regarding the importance of a transfer station . Councilmember Jordan stated that the City of Florence needs to get out of the landfill business.

Councilmember Graham congratulated Mr. Bradley Elliott, Councilmember Betterton and also the Championship Committee who worked so hard on the recent football championship game that was played at Braly Stadium.

Councilmember Graham wished everyone a very Merry Christmas and a prosperous New Year.

Councilmember Morris had no comments.

President Barnhart had no comments.

Councilmember Morris made a motion to adjourn the meeting. Councilmember Jordan 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

City of Florence, AL  
Minutes of City Council  
December 21, 2010

City of Florence, AL  
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December 21, 2010