

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
FEBRUARY 1, 2011**

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, February 1, 2011. President Barnhart called the meeting to order. Councilmember Graham 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

February 1, 2011

5:00 P.M.

1. Meeting called to order - President Barnhart
2. Invocation - Councilmember Graham
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:** None
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 January 18, 2011.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Bagby Elevator Company, Inc., to provide labor, equipment, materials and incidentals necessary to install new hoist cable and new wedge shackles on the City Hall Elevator, in the amount of \$4,792.00, to be paid from Fund 266-41810 Administrative Repair and Maintenance, sponsored by Gary Williamson.

- (d) Resolution authorizing the City to enter into an Agreement for Provision of School Resource Officers with the Florence Board of Education, sponsored by Chief Singleton.
- (e) Resolution to approve the Alabama Recycling Fund Grant Application through the Alabama Department of Environmental Management in the amount of \$226,774.30, to be used to increase the comprehensive recycling program at the University of North Alabama, no matching funds are required, sponsored by David Koonce.
- (f) Resolution to approve an Application for a Technical Assistance Grant through the Pipeline and Hazardous Materials Safety Administration in the amount of \$50,000.00, to be used for analysis of the flow performance of the City's natural gas system, no cost-sharing or matching funds are required, sponsored by Mike Doyle.
- (g) Resolution to appropriate \$4,550.00 to the Florence Board of Education for an HVAC system in the Archives Room at Burrell-Slater School to house memorabilia from Coffee and Bradshaw High Schools, to be paid from Fund 398-41112 City Council's Special Projects, sponsored by the City Council.
- (h) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. **Regular Agenda:**

- (a) Ordinance to lease Suite 534 in the Florence-Lauderdale Government Building to Dustin L. McCown, PC, for a term of one year commencing on February 1, 2011, and ending on January 31, 2012, in the amount of \$1,800.00, sponsored by Dan Barger.
- (b) Resolution authorizing the City to submit a Joint Application Form to TVA requesting approval to allow the Florence-Lauderdale Tourism Board to build a Welcome Center at the site of the McFarland Pro Shop, all application costs and all costs associated with the demolition of the Pro Shop and construction of the Welcome Center to be paid by the Tourism Board, sponsored by Dick Jordan.

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>
Beautification Board	Vacancy		
Civil Service Board	Jim Smith	05/02/05	04/11
Riverbed Center for Mental Health	Richard H. Davy	05/15/07	04/01/11

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.

Prior to the approval of the agenda, Councilmember Morris made a motion to suspend the rules to eliminate the five-minute time limit for Councilmember reports/comments at the end of the City Council meeting. Councilmember Pendleton seconded the motion.

There being no discussion, a vote taken thereon resulted as follows:

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

Noes: Hermon T. Graham
James H. Barnhart
Andrew Betterton

Vote was 3-3 therefore, the motion fails.

Discussion:

Councilmember Pendleton made comments regarding the "Rules of Procedures" regarding the number of times a Councilmember can speak during a discussion period. Councilmember Pendleton ask if a Councilmember can speak more than once during the Council Members reports and/or comments (5-minute limit)? Councilmember Pendleton stated that if he criticizes another Councilmember then that Councilmember should be allowed to speak regarding his criticism.

President Barnhart noted that the "Rules of Procedures" states that a Councilmember is only allowed five minutes during the Reports/Comments period.

Councilmember Morris stated that there will be an Ordinance presented at the next City Council meeting to eliminate the five-minute time limit.

Councilmember Pendleton stated that you should never accept defeat regarding your Constitutional Rights.

After general discussion among the City Councilmembers, President Barnhart asked for a motion to precede with the City Council meeting and to approve the agenda. Councilmember Betterton moved to precede with the City Council meeting and to approve the agenda. Councilmember Graham seconded the motion.

There being no discussion, a vote taken thereon resulted as follows:

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

Noes: Sam Pendleton, Jr.

Message from the Mayor:

Mayor Irons presented a Proclamation designating the month of January, 2011, as National Radon Action Month. The Proclamation was received by Ms. Pat Smith, Regional Extension Agent, with the Alabama Cooperative Extension System.

Mayor Irons gave the following economic update for the City of Florence:

Mayor Irons stated that sales tax revenues, as reported for actual sales in October, November and December of 2010, are \$280,000.00 better than the same period in 2009. Mayor Irons stated that this indicates that retail sales for the 4th quarter of 2010 may be a little stronger than the 4th quarter of 2009. Mayor Irons also stated that the loss of the \$160,000.00 in TVA in-lieu-of-tax payments in 2011 will reduce a large portion of this sales tax gain.

Mayor Irons stated that spending levels remain on budget for the 4th quarter due to good, sound management by the City's Department Heads. Mayor Irons stressed that the City will continue to exercise cautious optimism and control spending until we experience a more significant improvement in tax revenue.

Reports of Department Heads: None

Reports of Standing Committees:

Councilmember Jordan, Chairperson of the Finance Committee, stated that the Finance Committee met on Thursday, January 20th. Councilmember Jordan stated that information was provided regarding transfer stations.

Public Hearings: None

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

Mr. Bill Smoak, 2424 Roberts Lane, appeared and made comments regarding Consent Agenda Item 11 (d) Resolution authorizing the City to enter into an Agreement for Provision of School Resource Officers with the Florence Board of Education, sponsored by Chief Singleton. Mr. Smoak stated that he would like this item moved to the Regular Agenda for discussion. Mr. Smoak also asked what provision was made previously regarding the contract with the Florence Board of Education.

Consent Agenda:

President Barnhart asked for a motion for approval of the Consent Agenda items.
Councilmember Graham moved for approval of the ordinances and resolutions as follow, to-wit:

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 534 in the Florence-Lauderdale Government Building to Dustin L. McCown, PC, for a term of one year commencing on February 1, 2011, and ending on January 31, 2012, in the amount of \$1,800.00, sponsored by Dan Barger. Said Ordinance follows, to wit:

Councilmember Graham 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.

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 authorizing the City to submit a Joint Application Form to TVA requesting approval to allow the Florence-Lauderdale Tourism Board to build a Welcome Center at the site of the McFarland Pro Shop, all application costs and all costs associated with the demolition of the Pro Shop and construction of the Welcome Center to be paid by the Tourism Board, sponsored by Dick Jordan. Said Resolution follows, to wit:

Councilmember Jordan moved for immediate consideration of the foregoing resolution.

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 resolution. Councilmember Jordan seconded the motion.

Discussion:

Councilmember Jordan stated that the plans include constructing an office for a Parks & Recreation employee to manage the McFarland Park campgrounds.

Councilmember Pendleton expressed his appreciation to TVA for their hard work and for their confidence in our plans.

Councilmember Graham expressed his concern for flooding.

Councilmember Pendleton noted that the plans show the facility being elevated.

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

General Business:

(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		
Civil Service Board	Jim Smith	05/02/05	04/11
Riverbed Center for Mental Health	Richard H. Davy	05/15/07	04/01/11

Business from the Public (5-minute time limit): *None*

Council Reports and/or Comments:

Councilmember Graham made comments regarding the “World Changers” program. Councilmember Graham reminded the public that applications are now being accepted in the Community Development Office/Planning Department. Councilmember Graham stated that the recent District 3 Community meeting was a success.

Councilmember Morris made comments regarding the University of North Alabama. Said comments follow, to wit:

Councilmember Betterton stated that he totally agrees with Councilmember Morris' comments regarding the University of North Alabama.

Councilmember Pendleton stated that he agrees that University of North Alabama is vital to our City. Councilmember Pendleton stated that just because the University of North Alabama has a positive impact on the City's economy does not justify giving them a "sweetheart deal" for a portion of the former Florence Golf & Country Club property or to block access to the property.

Councilmember Pendleton submitted a copy of Mayor Irons' comments regarding the use of the former Florence Golf and copies of newspaper articles regarding Veterans Park to be placed in the official minutes. Said copies follow, to wit:

Councilmember Pendleton that he is right regarding the rules and regulations.

Councilmember Pendleton stated that he is very disappointed in the current City Council that they are choosing not to represent the citizens of Florence.

Councilmember Jordan had no comments.

President Barnhart stated that the work session that began at 3:00 p.m. today was very productive.

Councilmember Morris 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
-------	------

President Barnhart presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK

