

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
JULY19, 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, July 19, 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 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 Barnhart and Andrew Betterton.

AMENDED AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

July 19, 2011

5:00 P.M.

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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:
 10. Business from floor pertaining to items on the consent and regular agenda (5-minute time 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 July 5, 2011. **(This item moved to Regular Agenda Item 12 (b))**
- (b) Confirm payment of bills by the City Treasurer. **(This item was moved to Regular Agenda Item 12 (c))**
- (c) Resolution authorizing the City to enter into a contract with White, Lynn, Collins & Associates, Inc., to develop a Sidewalk Improvement Plan for the West Florence Area, in the amount of \$27,200.00, to be paid from budgeted Community Development Funds, sponsored by Melissa Bailey. **(This item was moved to Regular Agenda Item 12 (d))**

- (d) Resolution authorizing the City to enter into a contract with GMS Testing, Inc., to perform geotechnical testing on property located on Highway 64 near its intersection with Highway 101 to determine if it is suitable for substation construction for the Electricity Department, in the amount of \$2,600.00, to be paid from Acct 353.00 01 Station Equipment – Transmission, sponsored by Richard Morrissey.
- (e) Resolution authorizing the City to enter into a contract with C & J Contracting and Plumbing, Inc., to provide labor, equipment, materials and incidentals necessary for the Sewer Replacement, Veterans Drive Crossing at Broadway Street, ADEM SRF Project No. CS010412-05, in the estimated contract amount of \$2,318,143.00, to be paid from Acct 360.01 04 Collection Sewers – Sewer Rehab, sponsored by Mike Doyle. **(This item was moved to Regular Agenda Item 12 (e))**
- (f) Resolution to approve a Water Purchase Contract between East Lauderdale Water and Fire Protection Authority and the City of Florence, sponsored by Mike Doyle.
- (g) Resolution to approve a Water Purchase/Wastewater Disposal Contract between Sara Lee Corporation and the City of Florence, sponsored by Mike Doyle.
- (h) Resolution to approve an Economic Development Grant to the Shoals Entrepreneurial Center in the amount of \$40,000.00, to be funded in full through the community Development Block Grant Program, sponsored by Melissa Bailey.
- (i) Resolution to approve an Economic Development Grant to the Shoals Family Success Center in the amount of \$40,000.00, to be funded in full through the community Development Block Grant Program, sponsored by Melissa Bailey.
- (j) Resolution authorizing the City to apply for a Grant from International Paper in the amount of \$15,000.00, to be used for the purchase of recycling carts for residential recycling, sponsored by David Koonce. **(This item was moved to Regular Agenda Item 12 (f))**
- (k) Resolution authorizing the City to apply to the U. S. Department of Justice, Office of Justice Programs, for a 2011 Justice Grant (JAG) Program Award, sponsored by Rick Singleton.
- (l) Resolution authorizing the City to enter into an Interlocal Agreement between the City of Florence and county of Lauderdale, Alabama, as it concerns the 2011 Justice Assistance Grant (JAG) Program, sponsored by Rick Singleton.
- (m) Resolution to approve the proposal for renewal of excess workers' compensation coverage from Safety National Casualty Corporation prepared by Avizent, sponsored by Dan Barger.
- (n) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Ordinance to lease Suite 319 in the Florence-Lauderdale Government Building to Legal Services Alabama for a term of one year commencing on September 1, 2011, and ending on August 31, 2012, in the amount of \$9,504.00, sponsored by Dan Barger.
- (b) Approval of minutes of the Regular Meeting held on July 5, 2011. **(This item was moved from Consent Agenda Item 11 (a))**
- (c) Confirm payment of bills by the City Treasurer. **(This item was moved from Consent Agenda Item 11 (b))**
- (d) Resolution authorizing the City to enter into a contract with White, Lynn, Collins & Associates, Inc., to develop a Sidewalk Improvement Plan for the West Florence Area, in the amount of \$27,200.00, to be paid from budgeted Community Development Funds, sponsored by Melissa Bailey. **(This item was moved from Consent Agenda Item 11 (c))**

- (e) Resolution authorizing the City to enter into a contract with C & J Contracting and Plumbing, Inc., to provide labor, equipment, materials and incidentals necessary for the Sewer Replacement, Veterans Drive Crossing at Broadway Street, ADEM SRF Project No. CS010412-05, in the estimated contract amount of \$2,318,143.00, to be paid from Acct 360.01 04 Collection Sewers – Sewer Rehab, sponsored by Mike Doyle. **(This item was moved from Consent Agenda Item 11 (e))**
- (f) Resolution authorizing the City to apply for a Grant from International Paper in the amount of \$15,000.00, to be used for the purchase of recycling carts for residential recycling, sponsored by David Koonce. **(This item was moved from Consent Agenda Item 11(j))**
- (g) Resolution authorizing the City to enter into a contract with Alabama Department of Transportation to execute a permit for the modification of an existing traffic signal on Cox Creek Parkway at Hough Road, sponsored by Bill Batson. **(This item was added to the Agenda)**

13. General Business:

- (a) Resolution – Special Events Alcohol Beverage License Application by DOJ, INC., d/b/a DEMOS’ RESTAURANT, located at 339 SEVILLE STREET, FLORENCE, AL 35630, to serve alcohol in their parking lot and in the street during the W. C. Handy Festival on Thursday, July 28, 2011, sponsored by Robert M. Leyde.

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Adjustments & Appeals	William T. Wynne	09/06/05	09/30/11
	Thomas G. Pigg	09/06/05	09/30/11
	Fitzgerald Hill	09/06/05	09/30/11
Beautification Board	3 - Vacancies		
Port Authority	Darlene Ballard (Joint)	05/06/08	07/21/11
SEDA	Martin R. Abroms	12/18/08	09/30/11
	Hermon Graham	07/06/06	09/30/11

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

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

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

16. Motion to Adjourn.

President Barnhart noted that at the request of Councilmember Pendleton that Consent Agenda Item 11(a) Approval of minutes of the Regular Meeting held on July 5, 2011 was moved to Regular Agenda Item 12 (b), Consent Agenda Item 11 (b) Confirm payment of bills by the City Treasurer was moved to Regular Agenda Item 12 (c), Consent Agenda Item 11 (c) Resolution authorizing the City to enter into a contract with White, Lynn, Collins & Associates, Inc., to develop a Sidewalk Improvement

Plan for the West Florence Area, in the amount of \$27,200.00, to be paid from budgeted Community Development Funds, sponsored by Melissa Bailey was moved to Regular Agenda Item 12 (d), Consent Agenda Item 11 (e) Resolution authorizing the City to enter into a contract with C & J Contracting and Plumbing, Inc., to provide labor, equipment, materials and incidentals necessary for the Sewer Replacement, Veterans Drive Crossing at Broadway Street, ADEM SRF Project No. CS010412-05, in the estimated contract amount of \$2,318,143.00, to be paid from Acct 360.01 04 Collection Sewers – Sewer Rehab, sponsored by Mike Doyle was moved to Regular Agenda Item 12 (e) and Consent Agenda Item 11 (j) Resolution authorizing the City to apply for a Grant from International Paper in the amount of \$15,000.00, to be used for the purchase of recycling carts for residential recycling, sponsored by David Koonce was moved to Regular Agenda Item 12 (f). President Barnhart also noted that Regular Agenda Item 12 (g) Resolution was added to the agenda.

President Barnhart asked for a motion for approval of the amended agenda. Councilmember Betterton moved for approval of the agenda. Councilmember Graham seconded the motion.

Discussion:

Councilmember Pendleton read his proposed resolution and action plan for the use of the former Florence Golf & Country Club property. Councilmember Pendleton stated that the name of the Sanitation Department should be changed to Environmental Services. Councilmember Pendleton then withdrew his resolution in order to make changes to it.

Councilmember Pendleton read the ethics report regarding Councilmember Morris' ability to vote.

Councilmember Morris called for a point of order. Councilmember Morris stated that a motion has been made and properly seconded and that Councilmember Pendleton's discussion is not pertaining to today's agenda.

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

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

Noes: None

Abstain: Sam Pendleton, Jr.

Message from the Mayor:

Mayor Irons announced that the W. C. Handy Festival will begin on Friday evening, July 22nd will continue through Saturday, July 30th. Mayor Irons noted that there will be many opportunities for our citizens to enjoy good music at the events throughout Florence and the Shoals area. Mayor Irons asked Ms. Debbie Wilson, Florence-Lauderdale Tourism Director, to come forth. Ms. Wilson noted that the FLW Fishing Tournament Event will begin on Thursday, July 21st. Ms. Wilson stated that the FLW will also host a pet adoption for the Florence Animal Shelter at Wal-mart on Saturday, July 23rd. Ms. Wilson also noted the Alabama Governor's Conference on Tourism will begin on Sunday, July 24th. Ms. Wilson stated that this is the time that Florence has hosted this event. Mayor Irons stated that Wise Metals announced today that the corporate home office will be relocating from Baltimore, MD to Muscle Shoals. Mayor Irons noted that Wise means a lot to our community. Mayor Irons' comments regarding the landfill follows, to wit:

In previous discussions that we have had with the Council on the landfill options, it appears that a majority of the Council is leaning toward building a transfer station to transfer garbage to a regional landfill, which will cost our citizens approximately \$1 million more each year in additional fees. Based on the landfill philosophy of our State Government, EPA, and ADEM, I believe it is inevitable that the City of Florence will be forced to transfer garbage to a regional landfill at sometime in the future. However, I want to emphasize that the seven-year expected life of the landfill has not changed if operations continue as outlined in the Solid Waste Plan. This plan requires that two new cells be constructed during the seven-year life expectancy, and I am recommending that the cell planned for this year be built. This will allow the landfill to continue operations for about three to four more years with an overall cost savings of approximately \$2.5 million to our citizens (\$4 million savings on regional transfer fees less the \$1.5 new cell cost). I also recommend an increase in the commercial solid waste fees to a competitive level which would eliminate the landfill's operating deficit, and delay any residential rate increases for the next three to four years.

In the meantime, I am fully committed to control and reduce landfill operating costs as much as possible whether it is local or regional. One way is to implement new recycling programs to reduce the amount of waste going into the landfill, and, thereby, reduce the total cost of operations. All of these will have a positive impact on our citizens' monthly sanitation rates. The decision to raise Solid Waste rates rests in the hands of you, our Council, and I ask you to not impose a rate increase on our citizens for the next four years since it is not absolutely necessary.

This is a reasonable and practical approach to the problem and the most economical to our citizens who do not need another rate increase at this time.

Reports of Department Heads:

Melissa Bailey, Planning & Community Development Director, appeared and stated that the Community Development Block Grant for Year 2010 which was completed on April 1st is available in the Planning Department for review.

Dan Barger, Chief Accountant/Treasurer, appeared and presented a copy of the minutes from a recent meeting of the Employee Benefits Committee. Minutes follow, to wit:

Reports of Standing Committees:

Councilmember Jordan, Chairperson of the Finance Committee, gave a report of the committee meeting that took place today at the Florence/Lauderdale Public Library at 10:00 A.M to discuss the Library's 2012 budget request. Councilmember Jordan stated that in attendance were Mr. Simpson Russell, Library Board, Mr. Joey Anderson, Library Foundation Committee, Ms. Nancy Sanford, Library Director, Councilmember Morris, Finance Committee Councilmember Betterton, Dan Barger, Chief Accountant/Treasurer and Robert Palmer, TimesDaily Newspaper. Councilmember Jordan stated that the Finance Committee approved a budget request for an additional \$250,000.00 for 2012 Budget Year.

Councilmember Pendleton asked Councilmember Jordan if there were discussions regarding the use of the library. Councilmember Jordan stated that the library is being used more during these economic times due top the fact that people are unable to pay for internet service and are taking advantage of the internet provided at the library. Councilmember Jordan also noted that there the library provides programs for ages infant through 100 plus and that people are taking advantage of all the programs that are being offered.

Public Hearing:

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

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to lease Suite 319 in the Florence-Lauderdale Government Building to Legal Services Alabama for a term of one year commencing on September 1, 2011, and ending on August 31, 2012, in the amount of \$9,504.00, sponsored by Dan Barger. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing ordinance.

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
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Noes:	None
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Councilmember Pendleton moved for adoption of the foregoing ordinance. Councilmember Graham seconded the motion.

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

Ayes:	Sam Pendleton, Jr. William D. Jordan Hermon T. Graham Barry Morris James H. Barnhart Andrew Betterton
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Noes:	None
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City Clerk, Robert M. Leyde, presented a Resolution for Approval of minutes of the Regular Meeting held on July 5, 2011. Said Resolution follows, to wit:

Councilmember Jordan moved for immediate consideration of the foregoing resolution.

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

Discussion:

Councilmember Pendleton made comments regarding his comments at the last City Council meeting. Councilmember Pendleton asked the City Clerk if the July 5th minutes shows him stating that he is an anti-communist? City Clerk, Robert M. Leyde, stated that the minutes do represent his statement. Councilmember Pendleton stated that he has the constitutional right to say what he believes or disbelieves. Councilmember Pendleton made comments regarding the State Attorney General's opinion regarding the sale of property. Councilmember Pendleton asked William Musgrove, City Attorney, how many votes are needed to dispose of City property? Mr. Musgrove stated that the Attorney General's opinion says that four are required. Councilmember Pendleton stated that UNA and Mayor Irons' needed a scape-goat. Councilmember Pendleton stated that UNA said that they are in partnership with Peoples Republic of China.

Councilmember Morris asked President Barnhart to call Councilmember Pendleton out of order. President Barnhart stated that the last time he tried to call Councilmember Pendleton out of order, Councilmember Morris disagreed and stated that Councilmember Pendleton should be allowed to speak. President Barnhart stated that if the other four want to call him out of order, then do so. President Barnhart asked Councilmember Pendleton to make his point and move on.

Councilmember Pendleton stated that he has the right to talk and that there we only had three votes regarding the sale of the former Florence Golf & Country Club property. Councilmember Pendleton stated that he has been waiting on this for 55 years.

Councilmember Betterton stated that he is confused, and that he thought the discussion was for the minutes of July 5, 2011. Councilmember Pendleton stated that the rules say that minutes of City Council meeting can be corrected at anytime.

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

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

Noes: None

Abstain: Sam Pendleton, Jr.

City Clerk, Robert M. Leyde, presented a Resolution to confirm payment of bills by the City Treasurer. 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.
William D. Jordan
Hermon T. Graham
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 Pendleton made comments regarding the water rate increase.

Councilmember Pendleton presented a document that was dated July 1st that states our water is safe to drink. Councilmember Pendleton asked City Clerk, Robert Leyde the amount of the bond issue that was approved for repairs to the City's water system. Councilmember Pendleton stated that it was not necessary.

Councilmember Betterton stated that this is an annual report that is required by EPA.

Councilmember Betterton stated that there was a lot of meetings and discussions that took place regarding the bond issue. Councilmember Betterton also stated that a number of projects were considered and this document had nothing to do with the decision for a bond issue.

Councilmember Pendleton stated that either our water is safe or it is not. Councilmember Pendleton stated that he was not going to approve of the selling of property to the Peoples Republic of China. Councilmember Pendleton stated that we need the former Florence Golf & Country Club property for future expansion.

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

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

Noes: Sam Pendleton, Jr.

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into a contract with White, Lynn, Collins & Associates, Inc., to develop a Sidewalk Improvement Plan for the West Florence Area, in the amount of \$27,200.00, to be paid from budgeted Community Development Funds, sponsored by Melissa Bailey. Said Resolution follows, to wit:

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

Discussion:

Councilmember Pendleton made comments in support of the proposed resolution. Councilmember Pendleton commended Melissa Bailey, Planning Director, for her work on this project. Councilmember Pendleton stated that the City should open up College Street and Tombigbee Street. Councilmember Pendleton also stated that there are more ADA violations in West Florence than in the entire City of Florence.

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

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

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into a contract with C & J Contracting and Plumbing, Inc., to provide labor, equipment, materials and incidentals necessary for the Sewer Replacement, Veterans Drive Crossing at Broadway Street, ADEM SRF Project No. CS010412-05, in the estimated contract amount of \$1,030,482.20, to be paid from Acct 360.01 04 Collection Sewers – Sewer Rehab, sponsored by Mike Doyle. Said Resolution follows, to wit:

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.
William D. Jordan
Hermon T. Graham
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 made comments in support of the proposed resolution. Councilmember Pendleton stated that this improvement is needed.

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

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

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to apply for a Grant from International Paper in the amount of \$15,000.00, to be used for the purchase of recycling carts for residential recycling, sponsored by David Koonce. 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.
William D. Jordan
Hermon T. Graham
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing resolution.

Councilmember Pendleton seconded the motion.

Discussion:

Councilmember Pendleton made comments in support of the proposed resolution.

Councilmember Pendleton stated that the former Florence Golf & Country Club property could be used to for a recycling educational center. Councilmember Pendleton also stated that we must plan for the future.

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

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

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City of Florence, Alabama to enter into a contract with the Alabama Department of Transportation to , Alabama to execute a permit for the modification of an existing traffic signal on Cox Creek Parkway at Hough Road, sponsored by Bill Batson. . 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.
William D. Jordan
Hermon T. Graham
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing resolution.

Councilmember Pendleton seconded the motion.

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

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

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution - Special Events Alcohol Beverage License Application by DOJJ, INC., d/b/a DEMOS' RESTAURANT, located at 339 SEVILLE STREET, FLORENCE, AL 35630 to serve alcohol in their parking lot and in the street during the W. C. Handy Festival on Thursday, July 28, 2011 sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Jordan moved for immediate consideration of the foregoing resolution.

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

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

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

Noes: None

Board Openings:

Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Adjustments & Appeals	William T. Wynne	09/06/05	09/30/11
	Thomas G. Pigg	09/06/05	09/30/11
	Fitzgerald Hill	09/06/05	09/30/11
Beautification Board	3 - Vacancies		
Port Authority	Darlene Ballard (Joint)	05/06/08	07/21/11
SEDA	Martin R. Abroms	12/18/08	09/30/11
	Hermon Graham	07/06/06	09/30/11

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

Mr. Larry LaBarge, 217 Seymore Avenue, appeared and made comments regarding President Barnhart's and Councilmember Pendleton's anti-communist comments that were made at the last City Council meeting. Mr. LaBarge stated that he is not a communist. Mr. LaBarge also stated that he was appalled to hear President Barnhart's and Councilmember Pendleton's comments regarding Chinese people. Mr. LaBarge also asked if the Chinese Restaurants in Florence are subjected to such comments. Mr. LaBarge stated that they should resign from their positions on the City Council.

Mr. Rick Sharp, Chairman of Shoals Chamber of Commerce, appeared and read a resolution which follows, to wit:

Mr. Joey Leavitt, Creekside Drive, appeared and made comments regarding the low-head dam that is located on Cypress Creek. Mr. Leavitt stated that he wants to meet with City Officials to solve the problem with the dam and to prevent anyone else from drowning.

Mr. Barry Pannell, 310 Heatherton Road, appeared and announced that fund-raiser will be held on August 5th at River Front Park in Sheffield to remember Daniel Smith who lost his life in Cypress Creek. Mr. Pannell noted that the proceeds from this fund-raiser will go to pay for a study of the low-head dam.

Mr. Bill Smoak, 2424 Roberts Lane, appeared and made comments in opposition to President Cale and the University of North Alabama moving up to Division 1. Mr. Smoak stated that he is opposed to President Cale "calling names". Mr. Smoak quoted President Cale in a TimesDaily Newspaper article as saying that the sale of the former Florence Golf & Country Club property to China would benefit UNA.

Mr. Cameron Kelly Johnson, 403 Circular Road, appeared and made comments in favor of raising commercial garbage rates and stated that he would like to see incentives offered to commercial customers that are willing to recycle their content.

Mr. Johnson stated that he is embarrassed to say that he lives in Florence because of the bigotry that has come out of this Council. Mr. Johnson asked for the resignation of President Barnhart and Councilmember Pendleton.

Mr. Billy Ezell, 4015 Chisholm Road, appeared and stated that he was in total agreement with President Barnhart and Councilmember Pendleton regarding the City doing business with China. Mr. Ezell stated that he does not want an other country purchasing property in the City of Florence.

Mr. Bob Sneed, 445 North Wood Avenue, appeared and made comments regarding the ambulance services. Mr. Sneed stated that approximatley three years ago the ambulance service move to Dr. Hicks Blvd and that all the north bound ambulance runs travel Wood Avenue. Mr. Sneed also stated that last year the Florence Police and Fire Department met with the ambulance service regarding this matter and it was decided that the ambulance service would travel Pine Street after 10:00 p.m. Mr. Sneed stated that he hopes the Council understands this dilemma. Mr. Sneed asked if anything could be done in the future, it would be greatly appreciated.

Mr. John Hargett, 1406 North Wood Avenue, appeared and presented each Councilmember with a book entitled "Cliches of Politics".

Mr. Hargett stated that if you are trying to encourage business, why would you raise commercial garbage rates. Mr. Hargett also stated he welcomes new businesses to Alabama. Mr. Hargett stated that government should limit it self and stay out of the way.

Council Reports and/or Comments:

Councilmember Betterton made comments regarding the recent baseball tournaments that were held at the Sports Complex. Councilmember Betterton stated it was great to talk to people from out of town and to hear such positive comments regarding the Sports Complex

Councilmember Betterton thanked the members of the Shoals Chamber of Commerce that were in attendance tonight.

Councilmember Betterton made comments regarding the future of the landfill/sold waste operations. Councilmember Betterton stated that he is in favor of a transfer station. Councilmember Betterton also stated that there is a number of decisions to be made regarding this matter. Councilmember Betterton stated that we want to keep our rates as low as possible for our citizens. Councilmember Betterton also stated that he supports the former Florence Golf & Country property being utilized by UNA and that is an option to be discussed.

Councilmember Betterton also stated that he took exception to the term "sympathizer" that has been used several times tonight. Councilmember Betterton stated that he is a proud American and very proud of my family. Councilmember Betterton also stated that he is very thankful for the freedom to worship as he pleases.

Councilmember Pendleton made comments regarding China and the University of North Alabama. Councilmember Pendleton also stated that he had told Councilmember Betterton not to be a foot stool for Mayor Irons. Councilmember Pendleton stated that he is not scared and it is time for him to protect others. Councilmember Pendleton also stated that history is on his side. Councilmember Pendleton presented documents as follow, to wit;

Councilmember Jordan thanked members of the Shoals Chamber of Commerce for their attendance and Mr. Sneed for his ambulance comments.

Councilmember Jordan made comments regarding the future of the landfill. Councilmember Jordan stated that the City should either build a transfer station or go in partnership with Lauderdale County.

Councilmember Graham thanked everyone in attendance and those watching by television. Councilmember Graham made comments regarding the future of the landfill. Councilmember Graham stated that we should not rush into anything. Councilmember Graham stated that he agrees with Mayor Irons' recommendation to open a new cell and that will give us four years to figure out what to do next. Councilmember Graham also stated that a garbage rate increase is needed for commercial customers.

Councilmember Graham made comments regarding the recent baseball tournament that was held at the Sports Complex. Councilmember Graham congratulated the ten year old State Champs. Councilmember Graham reminded everyone of the District 3 meeting on July 28th at Broadway Recreation Center.

Councilmember Morris' comments follow, to wit:

President Barnhart made comments regarding his comments about China that he made at the last City Council meeting. President Barnhart stated that he is proud to live in this country. President Barnhart also stated that there are a lot of countries who do not have the freedom that we have in this country. President Barnhart stated that “thinking outside the box” seems to be what President Clinton and President Bush Sr were thinking when they sent all of our jobs to other countries.

City Council Pendleton asked if any engineering firms will be attending the work session on August 9th? President Barnhart stated that LAI and Highland Technical engineering firms will be in attendance on August 9th.

Councilmember Jordan made comments regarding the permitting of the new cells at the current landfill. Councilmember Jordan stated that only one cell has been permitted and that we currently have a separate c and d cell that has not been permitted. Councilmember Jordan also stated that the permitting process will begin in May 2012.

President Barnhart presented the closing prayer.

There being no more comments, Councilmember Graham made a motion to adjourn the meeting. Councilmember Pendleton seconded the motion.

A vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.
William D. Jordan
Hermon T. Graham
Barry Morris
James Barnhart
Andrew Betterton

Noes: None

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK