

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
FEBRUARY 21, 2012**

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 21, 2012. President Barnhart called the meeting to order. Robert M. Leyde, City Clerk, 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.

AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

February 21, 2012

5:00 P.M.

1. Meeting called to order - President Barnhart
2. Invocation - Robert M. Leyde, City Clerk
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 February 7, 2012.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Charter Communications, LLC, to provide cable television advertising for the City of Florence Recycling Program, to be paid from Account #482-43125, sponsored by David Koonce.
- (d) Resolution authorizing the City to enter into a contract with The Lamar Companies, to provide outdoor advertising for the City of Florence Recycling Program, in the amount of \$2,125.00, to be paid from Account #482-43125, sponsored by David Koonce.

- (e) Resolution authorizing the City to enter into a contract with Window World of the Shoals, Inc., to provide labor, equipment, materials and incidentals necessary to replace the existing windows in the Florence Utilities Gas Department engineering building, in the amount of \$6,075.00, to be paid from Account #390.00 -- Structures and Improvements, sponsored by Mike Doyle.
- (f) Resolution authorizing the City to enter into a contract with T. J. Construction, Inc., to provide labor, equipment, materials and incidentals necessary to install 5,550 feet of 2" PE gas line at the Camp Westmoreland Boy Scout Camp, in the amount of \$8,325.00, to be paid from Account #367.00 -- Mains, sponsored by Mike Doyle.
- (g) Resolution authorizing the City to apply for a Grant from International Paper in the amount of \$7,000.00, to be used for the purchase of environmental education materials essential to educating the public about recycling, no matching funds required, sponsored by David Koonce.
- (h) Resolution authorizing the City to apply for an Alabama Recycling Fund grant from the Alabama Department of Environmental Management in the amount of \$252,790.00, matching funds of \$78,528.00 in-kind services and \$30,000.00 budgeted in FY 2013, sponsored by David Koonce.
- (i) Resolution to appoint Christy Dolly to the Beautification Board, sponsored by the City Council.
- (j) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Resolution to appropriate \$66,319.00 to the Gordon Street Corporation to assist with the construction of an elevated pedestrian walkway connecting the Rogers Building to the Florence Municipal Parking Deck, sponsored by Sam Pendleton and 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>
Civil Service Board	Calvin Durham	01/18/11	04/12
Housing & Construction Appeals Board	3 - Vacancies		
Industrial Development	Bryan Austin Linden Reeder	04/03/07 02/07/93	04/05/12 04/05/12
Regional Library Board	James H. Nash	01/20/09	01/28/12
Zoning Adjustments	Mike Fountain Keith Abernathy	06/04/91 08/05/03	05/17/12 05/17/12

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

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

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

16. Motion to Adjourn.

President Barnhart asked for a motion for approval of the agenda. Councilmember Betterton moved for approval of the agenda. Councilmember Pendleton seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

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

Noes: No

Message from the Mayor:

Mayor Irons presented a Proclamation to the University of North Alabama Football Coach Bobby Wallace in recognition of his return to our City.

Coach Bobby Wallace expressed his appreciation for the City's support.

Report of Department Heads: None

Report of Standing Committee:

Councilmember Graham noted that the Utilities Committee met on February 7, 2012. Councilmember Graham stated that the topic of the meeting was the contract for outside tree trimming work.

Councilmember Pendleton made comments regarding parking areas for 18 wheel trucks. Councilmember Pendleton stated that he had met with the Building and Planning Department. Councilmember Pendleton further stated that the final result would be for the City to construct a parking area. Councilmember Pendleton noted that this problem will take more effort than previously realized.

Public Hearing: None

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

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments in support of Regular Agenda Item 12 (a) Resolution to appropriate \$66,319.00 to the Gordon Street Corporation to assist with the construction of an elevated pedestrian walkway connecting the Rogers Building to the Florence Municipal Parking Deck. Mr. Simpson stated that he believes that this project has been thoroughly investigated by City officials and that it will greatly benefit the City.

Consent Agenda:

President Barnhart asked for a motion for approval of the Consent Agenda items. Councilmember Pendleton 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 a Resolution to appropriate \$66,319.00 to the Gordon Street Corporation to assist with the construction of an elevated pedestrian walkway connecting the Rogers Building to the Florence Municipal Parking Deck, sponsored by Sam Pendleton and Dick Jordan. Said Resolution follows, to wit:

Councilmember Pendleton 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

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

Discussion:

Councilmember Jordan made comments in favor of the proposed resolution. Councilmember Jordan stated that not only will this enhance the downtown area but will also enhance West Florence. Councilmember Jordan further stated that this resolution is part of the downtown revitalization.

Councilmember Pendleton made comments in favor of the proposed resolution. Councilmember Pendleton stated that this project has been on the drawing board since Councilmember Jordan was Mayor of Florence. Councilmember Pendleton further stated that the delay was due to the vacancies in the Rogers Building. Councilmember Pendleton stated that now that Joseph A. Banks and Martin Supply have located in the Rogers Building, this project can proceed.

Councilmember Betterton made comments in favor of the proposed resolution. Councilmember Betterton thanked Florence Main Street and Downtown Florence Unlimited for their hard work to revitalize downtown Florence. Councilmember Betterton stated that he is excited for what the project will mean for Florence.

Councilmember Pendleton stated that DFU and the Shoals Chamber of Commerce are working hard to recruit business to downtown. Councilmember Pendleton further stated that we are trying to maintain and enhance the downtown area.

Councilmember Morris stated that it seems so easy to spend other people's money. Councilmember Morris further stated that he deliberates long and hard before agreeing to spend taxpayer's money. Councilmember Morris stated that the Florence/Lauderdale Public Library is an example of how much our City is loved and appreciated. Councilmember Morris further stated that this walkway will be an enhancement but his only concern is the precedent that it will set for others.

Councilmember Graham made comments in support of the proposed resolution. Councilmember Graham stated that if you look at this project, there are more positive reasons than negative.

President Barnhart made comments in opposition to the proposed resolution. President Barnhart stated that the proposed resolution is one of the most ridiculous resolutions that he has ever seen. President Barnhart further stated that the City has a lot of drainage problems that need to be addressed.

Councilmember Pendleton stated that he is not opposed to government co-operation and involvement with the private sector.

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
Andrew Betterton

Noes: James H. Barnhart

General Business:

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Civil Service Board	Calvin Durham	01/18/11	04/12
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Zoning Adjustments	Mike Fountain Keith Abernathy	06/04/91 08/05/03	05/17/12 05/17/12

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

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments regarding the “Drug War”. Mr. Simpson stated that it is a war on people who use drugs.

Mr. Steve Schnechter, 103 Charing Cross, appeared and made comments in opposition to the proposed Wal-Mart Super Center coming to North Florence. Mr. Schnechter noted that this decision is a “quality of life” issue.

Ms. Yolanda Faulk, appeared and thanked Councilmember Pendleton and Councilmember Morris for their support of the Martin Luther King Junior Basketball Tournament. Ms. Faulk also

asked the City Council what steps that she would need to take to have a street in Florence named after the late Reverend Martin Luther King Junior.

Mr. Coy Bramlett, 105 Kensington Drive, appeared and made comments in opposition to the proposed Wal-Mart Super Center coming to North Florence. Mr. Bramlett stated that we do not need the Council “ramming things down our throats”. Mr. Bramlett presented a petition with 135 names. Petition follows, to wit:

Mr. Dave Schlebinsky, 115 Weeden Court, appeared and made comments in opposition to the proposed Wal-Mart Super Center coming to North Florence. Mr. Schlebinsky stated that he moved here about six months ago and is opposed to Wal-Mart locating on Cloverdale Road.

Ms. Fay Evans, 317 Sherbonne Court, appeared and made comments in opposition to the proposed Wal-Mart Super Center coming to North Florence. Ms. Evans stated that a Wal-Mart Store belongs in a commercial area, like where it is currently located, not in a residential area.

Ms. Becky Smith, 135 Kensington Drive, appeared and made comments regarding a recent meeting that took place at the Florence Lauderdale Public Library regarding the proposed Wal-Mart Super Center coming to North Florence that was sponsored by the Shoals Environmental Alliance.

Ms. Jan Bramlett, 105 Kensington Drive, appeared and made comments in opposition to the proposed Wal-Mart Super Center coming to North Florence. Ms. Bramlett stated that the City Council should stop and think about the businesses located in that area.

Mr. Bart Connor, 303 Ashwoody Drive, appeared and made comments in opposition to the proposed Wal-Mart Super Center coming to North Florence.

Ms. Barbara Tubbs Hill, Sannoner Avenue, appeared and made comments in opposition to the proposed Wal-Mart Super Center coming to North Florence. Ms. Tubbs stated that if Wal-Mart is allowed to locate in North Florence then property values will decrease.

Council Reports and/or Comments:

Councilmember Graham thanked everyone for their attendance tonight. Councilmember Graham noted that the approval of the construction of an elevated pedestrian walkway connecting the Rogers Building to the Florence Municipal Parking Deck will stimulate parking in the parking deck.

Councilmember Morris made comments regarding the proclamation that was presented to UNA Football Coach Bobby Wallace tonight.

Councilmember Morris stated that a recent recycling bill that failed to pass in the Alabama State Legislature made note of the unprofitability of cities' recycling.

Councilmember Betterton stated that we can do better in regards to recycling. Councilmember Betterton also expressed his appreciation to Gary Baker partnering with UNA.

Councilmember Betterton made comments regarding the new Integrated Health Program which is being added at the University of North Alabama. Councilmember Betterton stated that the program is currently looking for land to build on.

Councilmember Pendleton made comments addressed to the citizens that are opposed to a Wal-Mart Super Center in North Florence. Councilmember Pendleton stated that he understands that some citizens do not want a Wal-mart Super Center to locate on Cloverdale Road. Councilmember Pendleton

further stated that if he substituted something else for the word “Wal-Mart” in those statements then it would bring up bad memories.

Councilmember Pendleton submitted a newspaper article regarding ECM Hospital. Article follows, to wit:

Councilmember Pendleton stated that we need to work harder regarding our hospital and also our entertainment district.

Councilmember Jordan made comments regarding recycling. Councilmember Jordan stated that we need to educate our children as well as our citizens about recycling.

Councilmember Jordan stated that he is glad to have Coach Bobby Wallace back at UNA. Councilmember Jordan also made comments regarding the new science building that was recently completed at UNA.

President Barnhart presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK