

**CITY OF FLORENCE**  
**MINUTES OF CITY COUNCIL**  
**MAY 15, 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, May 15, 2012. President Barnhart called the meeting to order. Councilmember Morris gave the invocation and led in the Pledge of Allegiance. Robert M. Leyde, City Clerk, performed the roll call and noted that 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**

**May 15, 2012**

**5:00 P.M.**

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1. Meeting called to order - President Barnhart
2. Invocation - Councilmember Morris
3. Pledge of Allegiance
4. Roll Call - President Barnhart
5. Approval of Agenda
6. Message from Mayor
7. Reports of Department Heads
8. Reports of Standing Committees
9. Public Hearings:
  - (a) Public Hearing regarding the rezoning of property located South of Heathrow Subdivision and West of the Wright Drive/Cloverdale Road Intersection from R-1 (Single Family Residential District) to B-2 (General Business District) as requested by Barnett Family Properties, LLC.
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 May 1, 2012.
- (b) Confirm payment of bills by the City Treasurer.

- (c) Resolution authorizing the City to enter into a contract with Monitor Mapboard Systems, LLC, to provide professional services including material specifications, graphic design of “print ready” drawings of the transmission and distribution systems, and printing and fabrication 462 high resolution graphic steel modules for installation on a magnetic display wall for the Florence Electricity Department, in the amount of \$87,982.00, to be paid from budgeted funds Account #390.00 Structures and Improvements, sponsored by Richard Morrissey.
- (d) Resolution authorizing the City to enter into a contract with Will Stutts, for the performance and production of the one man play depicting the life of Frank Lloyd Wright to be performed June 9, 2012, in the amount of \$1,500.00 plus 20% of any gross admissions over \$1,500.00, to be paid from State Arts Grant Funds, sponsored by Todd Nix.
- (e) Resolution authorizing the City to enter into a contract with SportsSignup.com, to provide a customized online registration database with all information owned by the City and protected by 128 bit key encryption for athletic registration for the sports individuals and teams, to be paid from budgeted Fund 188, Account #1147-48119, sponsored by Todd Nix.
- (f) Resolution authorizing the City to enter into a contract with General Sign Company, Inc., to provide labor, equipment, materials and incidentals necessary to furnish and install one Florence Gateway Sign on Florence Boulevard, in the amount of \$10,300.00, to be paid from Fund 188, Account #1147-48119, sponsored by the City Council.
- (g) Resolution authorizing the City to enter into a contract with AT&T Corporation, DBA AT&T Alabama, to provide dedicated internet access to the City of Florence for a monthly fee of \$3,090.00, to be paid from budgeted FERC Funds Account #921 Office Supplies Expense, sponsored by Steve Price.
- (h) Resolution authorizing the City to enter into a contract with Bohannon Services, Inc., to provide labor, equipment, materials and incidentals necessary to install the Sentricon Termite Colony Elimination System for termite contract at The Club, in the total amount of \$2,500.00, to be charged to Account #1053-43200, sponsored by David Koonce.
- (i) Resolution authorizing the City to enter into a contract with the Music Preservation Society, Inc., to hold the “Opening Ceremonies” and other events in West Florence during the week of the W. C. Handy Festival in July 2012, in the amount of \$5,000.00, to be paid from budgeted funds in Account #2132-51705 Special Appropriations, sponsored by the City Council.
- (j) Resolution authorizing the City to enter into a contract with Shoals Radio Group to sponsor the Spirit of Freedom Celebration on July 4, 2012, in the amount of \$10,000.00, to be paid from budgeted funds, Account #398-41112 Council Special Projects Fund, sponsored by the City Council.
- (k) Resolution authorizing the City to enter into agreements with Metropolitan Life Insurance Company to manage and invest the funds in the City employees’ retirement plan, sponsored by the Benefits Committee.
- (l) Resolution to appoint Brad Dethero as a member of the Board of Zoning Adjustments.
- (m) Resolution to appoint Andy Frith as a member of the Board of Zoning Adjustments.
- (n) Resolution to appoint Ry Griffin as a member of the Board of Zoning Adjustments.
- (o) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Ordinance to amend Section 3-2 *Definitions of establishments, places, and premises permitted to apply for license to sell alcohol* of the Code of Florence, Alabama, as amended, sponsored by Bill Musgrove and Bob Leyde.
- (b) Ordinance to rezone property located South of Heathrow Subdivision and West of the Wright Drive/Cloverdale Road Intersection from R-1 (Single Family Residential District) to B-2 (General Business District), sponsored by Melissa Bailey.
- (c) Resolution to vacate unopened streets and public alley rights of way in Block 674, East Florence, sponsored by Bill Musgrove.
- (d) Resolution to vacate a portion of Koonce Street right-of-way east of Dale's Restaurant, sponsored by Bill Musgrove.

13. General Business:

- (a) Resolution authorizing the City to appropriate the following sums for the Gas Department Budget, reflecting projected revenues of \$18,578,500.00 and projected expenses of \$17,896,400.00 and the Water Department Budget, reflecting projected revenues of \$19,758,300.00 and projected expenses of \$16,333,400.00 for fiscal year ending June 30, 2013, sponsored by Mayor Irons.
- (b) Resolution – Alcohol Beverage License Application for the operation of a Drug Store with Off-Premises Beer & Wine by ALABAMA CVS PHARMACY, LLC, d/b/a CVS PHARMACY #4817, located at 1501 FLORENCE BLVD., FLORENCE, AL 35630, sponsored by Robert M. Leyde.

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Hospital Board	Vacant		
Housing & Construction Appeals Board	3 - Vacancies		
Zoning Adjustments	1 - Vacancy (Supernumerary)		

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

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

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

16. Motion to Adjourn.

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

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: No

**Message from the Mayor:** None

**Report of Department Heads:** None

**Report of Standing Committee:** None

**Public Hearing:**

President Barnhart noted that this is the date and time advertised for a Public Hearing regarding the rezoning of property located South of Heathrow Subdivision and West of the Wright Drive/Cloverdale Road Intersection from R-1 (Single Family Residential District) to B-2 (General Business District) as requested by Barnett Family Properties, LLC. President Barnhart asked Melissa Bailey, Planning Director, to come forward.

Ms. Bailey stated that the Planning Commission first heard about this rezoning request in December 2011. Ms. Bailey further stated that the Planning Commission is in full support of this rezoning.

Councilmember Betterton asked Ms. Bailey how this public hearing differs from the public hearing that was held by the Planning Commission? Ms. Bailey stated that at the Planning Commission level, letters are sent to adjoining property owners and signs are posted advertising the public hearing. Ms. Bailey further stated that the Planning Commission then votes, in this case, to recommend the proposed rezoning to the City Council. Ms. Bailey stated that after the recommendation from the Planning Commission, a public hearing is scheduled for a council meeting so the City Council can hear from the public and then either approve or disapprove the proposed rezoning.

Councilmember Morris asked Ms. Bailey if this proposed rezoning and proposed development complies with the Master Plan for the City of Florence? Ms. Bailey stated that in 2006, the City of Florence completely revamped their Master Plan. Ms. Bailey further stated the Master Plan includes residential neighborhoods along with services that are needed by residents. Ms. Bailey stated that in the plan, a sprawl to the Northwest is noted and that there are a lack of residential services in that area. Councilmember Jordan asked Ms. Bailey to explain the stormwater detention

requirement. Ms. Bailey stated that the rules regarding this matter are that the stormwater run-off can not increase from the run-off that is currently there. Ms. Bailey further stated that the plans for this development regarding stormwater run-off must be approved by the City's Engineering Department and permits will also be required.

Councilmember Betterton stated that as a member of the Planning Commission, he has been very impressed with the Alabama Department of Transportation and the Alabama Historical Commission. Ms. Bailey stated that ALDOT has made great strides to work with the City regarding traffic matters.

Councilmember Morris asked Ms. Bailey to discuss the location of dumpster boxes, outdoor PA system and the loading area of the proposed development. Ms. Bailey stated that on the site plan submitted by the developer, the dumpster box pads will be located on the South side of the proposed development. Ms. Bailey further stated that this particular development will not have an outdoor PA system. Ms. Bailey stated that the loading area will also be located on the South side of the building. Ms. Bailey further stated that the loading and unloading entrances and exists will be located on Cox Creek Parkway.

Councilmember Morris made comments regarding the time line of this request. Councilmember Morris stated that the Council has not heard from Jim Stanphill, Planning Commission Chairman, regarding the process of the rezoning request. President Barnhart stated that Mr. Stanphill could speak during the public comments portion of the public hearing regarding this matter. Councilmember Pendleton stated that this is a duly required public hearing that is required by law. Councilmember Pendleton further stated that Mr. Stanphill should be allowed to answer questions from the City Council. Councilmember Jordan stated that he agrees with Councilmember Pendleton that Mr. Stanphill should be allowed to answer questions from the City Council. President Barnhart stated that any questions should be addressed to Melissa Bailey, Planning Director, not to Mr. Stanphill.

Councilmember Jordan asked Melissa Bailey, Planning Director, who would be responsible for the stormwater ponds. Ms. Bailey stated that ADEM permits will be required and also the City's Engineering Department will also have to approve the plans.

**Public comments:**

Mr. Jim Stanphill, President of the Planning Commission, 1969 Holiday Drive, stated that the Council has the positive recommendation of the Planning Commission. Mr. Stanphill stated that this rezoning application meets the direction of the City's Master Plan. Mr. Stanphill further stated that there have been false accusations made against members of the Planning Commission and also the Planning Department. Mr. Stanphill stated that the Planning Commission does not decide who can sell their property to whom or how cemeteries are to be cared for. Mr. Stanphill further stated that it is the duty of the Planning Commission to make sure everyone gets a fair shake even if you do not like the company who is developing the undeveloped property. Mr. Stanphill stated that he objects to the allegations that have been circulated that the Planning Commission

and the Planning Department has been “bought off” by Wal-Mart. Mr. Stanphill further stated that this rezoning meets all the requirements of the zoning and subdivision rules and regulations.

Mr. Norris Nielsen, 130 Kensington Drive, appeared and made comments in opposition to the proposed rezoning of property located South of Heathrow Subdivision and West of the Wright Drive/Cloverdale Road Intersection from R-1 (Single Family Residential District) to B-2 (General Business District) as requested by Barnett Family Properties, LLC. Mr. Nielsen stated that he is not opposed to Wal-Mart but he believes that this is not a good location. Mr. Nielsen further stated that he does not believe that a 100 foot buffer is adequate. Mr. Nielsen stated that another concern is the Coffee Cemeteries. Mr. Nielsen further stated that he disagrees with the entrance to Wal-Mart being located on Cloverdale Road.

Mr. Billy Ray Simpson, 725 West Alabama Street, appeared and made comments in favor of the proposed rezoning of the property. Mr. Simpson stated that it is amazing that these people were not concerned with the care of the cemeteries before. Mr. Simpson further stated that he supports more jobs coming to our area. Mr. Simpson stated that we should not change the order of this meeting due to “special interest groups”.

Ms. Liz Wilcoxson, 319 Crosshaven Court, appeared and made comments in opposition to the proposed rezoning. Ms. Wilcoxson stated that our quality of life should be protected. Ms. Wilcoxson further stated that the zoning ordinances protect neighborhoods from home businesses and large truck deliveries, yet a big box retailer can locate in a neighborhood. Ms. Wilcoxson stated that evidently money speaks louder than words.

Ms. Beck Smith, 135 Kensington Drive, appeared and made comments in opposition to the proposed rezoning. Ms. Smith stated that she is against any big business that wishes to locate in this area.

Ms. Lois Holley, 305 Crossmore Lane, appeared and made comments in opposition to the proposed rezoning. Ms. Holley stated that she is not against Wal-Mart, but she is against the proposed location.

Mr. John Crowder, 421 Nottingham Road, appeared and made comments in favor of the proposed rezoning. Mr. Crowder stated that he supports the request of Wal-Mart.

Mr. Wes Holley, 305 Crossmore Lane, appeared and made comments in opposition to the proposed rezoning. Mr. Holley suggested that the City build a Welcome Center or a memorial in that location.

Mr. Bart Cannon, 303 Ashwoody Drive, appeared and made comments in opposition to the proposed rezoning. Mr. Cannon asked, Do we want to treat John Coffee the same as we did “Mountain” Tom Clark?

Mr. Charles Burgess, Ministerial Alliance, appeared and made comments in support of the proposed rezoning. Mr. Burgess noted that the proposed Wal-Mart location will be 1 1/2 miles from the slave cemetery. Mr. Burgess further noted that if people were so concerned about the cemetery, then why haven't they cleaned it up in the last ten years. Mr. Burgess stated that the City should move forward and allow Wal-Mart to build in this area and get the tax money back from Tennessee.

Ms. Janice Gunderson, appeared and made comments in opposition to the proposed rezoning. Ms. Gunderson stated that she was confused regarding the rezoning from R-1 to B-2.

Ms. Joan Helton, Kensington Drive, appeared and made comments in opposition to the proposed rezoning. Ms. Helton stated that Sam

Walton, Founder of Wal-Mart, would turn over n his grave if he knew what was trying to be accomplished here tonight.

Ms. Nancy Muse, 246 Robinhood Dr, representing the Shoals Environmental Alliance and CAUS, appeared and made comments in opposition to the proposed rezoning. Ms. Muse stated that this proposed rezoning and the building of Wal-Mart in this location is reckless development.

Ms. Barbara Hill Tubbs, Sannoner Avenue, appeared and made comments in opposition to the proposed rezoning. Ms. Tubbs also stated that she is not opposed to Wal-Mart but she is opposed to the location.

Mr. Jeremy Barrier, appeared and made comments in opposition to the proposed rezoning. Mr. Barrier asked the Council to take some time to consider this rezoning. Mr. Barrier stated that a decision does not have to be made tonight.

Ms. Jan Bramlett, 105 Kensington Drive, appeared and made comments in opposition to the proposed rezoning. Ms. Bramlett also stated that the Council does not have to make a decision tonight.

Mr. Ron Davis, owner of Big Star, appeared and made comments in opposition to the proposed rezoning. Mr. Davis stated that he is concerned about the impact on small businesses in that area.

Ms. Pam Nagy, Cypress Creek Drive, appeared and made comments in opposition to the proposed rezoning.

Mr. Tommy Bates, Ridgeview Drive, Sheffield, Alabama, appeared and made comments in favor of the proposed rezoning. Mr. Bates stated that everyone is going to win.

Ms. Faye Evans, 317 Sherbonne Court, appeared and made comments in opposition to the proposed rezoning. Ms. Evans stated that this rezoning would go against the intent of the zoning ordinance established by the Planning Commission.

Mr. Bill Inskip, 122 Kensington Drive, thanked President Barnhart and Councilmember Pendleton for their service to their districts and the City of Florence.

Mr. Kenneth Grover, East Lakeside Drive, appeared and made comments in favor of the proposed rezoning. Mr. Grover asked why should we let 1,500 people who are opposed to Wal-Mart run a city of 40,000.

Mr. Billy Ray Sledge, 3150 Roberson Road, Apt # 509, appeared and made comments in opposition to the proposed rezoning.

Mr. Nathaniel Ray Lucas, thanked President Barnhart, Mayor Irons and Councilmember Pendleton for their service to the City of Florence. Mr. Lucas stated that the City has a lot of issues that need to be resolved and that the vote for this rezoning needs to be postponed.

Ms. Brenda Burleson, Training Co-Ordinator for Wal-Mart, appeared and made comments in support of the proposed rezoning. Ms. Burleson stated that there are a need for jobs in this area and that she likes the people at Wal-Mart.

Ms. Vicki McMahan, employee with Wal-Mart, appeared and made comments in support of the proposed rezoning. Ms. McMahan stated that Wal-Mart is trying to bring jobs to this area and that Wal-Mart performs drug screening on their employees.

Mr. Ken Taylor, 219 Hampton Avenue, appeared and made comments in support of the proposed rezoning. Mr. Taylor stated that he has been employed by Wal-Mart for 18 years.

Ms. Nancy Berry, appeared and made comments in opposition to the proposed rezoning. Ms. Berry stated that it is still unclear if the slave



cemetery is a square or a rectangle.

Mr. Mark Gonzalez, representative of Wal-Mart, appeared and stated that Wal-Mart will exceed the stormwater regulations, parking lots will be de-littered and that care will be given to the cemeteries located near by. Mr. Gonzalez further stated that we have a ways to go yet and that there are more hoops to jump through before this project is completed.

Ms. Allison Scott, Wal-Mart Employee, stated that she has worked at Wal-Mart for 16 years and that Wal-Mart is hiring all of the time.

Mr. Todd Raspberry, Manager of Wal-Mart on Cox Creek Parkway, appeared and made comments in support of the rezoning. Mr. Raspberry stated that he has been the manager in Florence for 6 years and that 70% of his employees are full-time.

Ms. Grace Fox, appeared and stated that the City should be very smart in how to move forward with this project.

Mr. Coy Bramlett, 105 Kensington Drive, appeared and made comments in opposition to the proposed rezoning. Mr. Bramlett stated that the Planning Department should have involved the residents in the area of the proposed rezoning more.

Mr. Danny McGee, appeared and made comments in favor of the proposed rezoning. Mr. McGee stated that he is in favor of the proposed Wal-Mart and that it would bring 250 to 300 new jobs to our area.

Ms. Amanda Berry, appeared and made comments in opposition to the proposed rezoning. Ms. Berry stated that her main concern is the traffic congestion and the property values.

Mr. Glenn Wilkins, Wal-Mart Representative, appeared and stated that Wal-Mart Corp has no plans to close the current Wal-Mart located on Cox Creek Parkway.

**There being no further comments from the public, President Barnhart closed the Public Hearing**

**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 regarding Consent Agenda Item 11 (i) Resolution authorizing the City to enter into a contract with the Music Preservation Society, Inc., to hold the "Opening Ceremonies" and other events in West Florence during the week of the W. C. Handy Festival in July 2012, in the amount of \$5,000.00, to be paid from budgeted funds in Account #2132-51705 Special Appropriations, sponsored by the City Council and Consent Agenda Item 11 (j) Resolution authorizing the City to enter into a contract with Shoals Radio Group to sponsor the Spirit of Freedom Celebration on July 4, 2012, in the amount of \$10,000.00, to be paid from budgeted funds, Account #398-41112 Council Special Projects Fund, sponsored by the City Council. Mr. Simpson questioned why the W. C. Handy Festival was receiving \$5,000.00 and the Spirit of Freedom Festival was receiving \$10,000.00.

Mr. Tori Bailey, East 20<sup>th</sup> Street and President/Owner of WZZA Radio, made comments regarding Consent Agenda Item 11 (i) Resolution to appropriate \$5,000.00 to the W. C. Handy Festival. Ms. Bailey stated that this is an additional appropriation for the W. C. Handy Festival. Ms. Bailey invited everyone to come out and enjoy the festivities that are planned for W. C. Handy Week.

Mr. Daniel Lucas, Cypress Mill Road, appeared and made comments in favor of Regular Agenda Item, 12 (c) Resolution to vacate unopened

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streets and public alley rights of way in Block 674, East Florence, sponsored by Bill Musgrove and 12 (d) Resolution to vacate a portion of Koonce Street right-of-way east of Dale's Restaurant, sponsored by Bill Musgrove.

**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 Pendleton seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.

Hermon T. Graham

Barry Morris

James H. Barnhart

Noes:None

**Regular Agenda:**

City Clerk, Robert M. Leyde, presented an Ordinance to amend Section 3-2 *Definitions of establishments, places, and premises permitted to apply for license to sell alcohol* of the Code of Florence, Alabama, as amended, sponsored by Bill Musgrove and Bob Leyde. Said Ordinance follows, to

wit:

Councilmember Morris moved for immediate consideration of the foregoing ordinance.

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 H. Barnhart
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Noes:	None
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Councilmember Betterton moved for adoption of the foregoing ordinance. Councilmember Morris 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
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Noes:	None
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City Clerk, Robert M. Leyde, presented an Ordinance to rezone property located South of Heathrow Subdivision and West of the Wright Drive/Cloverdale Road Intersection from R-1 (Single Family Residential District) to B-2 (General Business District), sponsored by Melissa Bailey. Said Ordinance follows, to wit:

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

**Discussion:**

Councilmember Morris made comments in favor of the proposed ordinance. Councilmember Morris stated that he has been studying this issue since November or December of 2011. Councilmember Morris further stated that he has sought the advice of many professionals and is in full support of this rezoning.

Councilmember Pendleton made comments in favor of the proposed ordinance. Councilmember Pendletons stated that he is concerned about those who are suddenly concerned about the cemeteries that are located near the proposed Wal-Mart.

Councilmember Graham made comments in favor of the proposed ordinance. Councilmember Graham stated that this rezoning and the proposed Wal-Mart will create more retail and more development going all the way to Savannah Highway. Councilmember Graham further stated that he disliked being accused of being in "Wal-Mart's Pocket".

Councilmember Betterton made comments in favor of the proposed ordinance. Councilmember Betterton thanked everyone in the audience for the respectful way that they have acted tonight.

Councilmember Jordan made comments in favor of the proposed ordinance. Councilmember Jordan stated that he tried to educate himself fully regarding this matter and that all of his major concerns such as landscaping, buffering, fencing, access road to Cox Creek Parkway, traffic lights and environmental impact have been addressed.

President Barnhart made comments in opposition to the proposed ordinance. President Barnhart stated that he is voting against the ordinance and that his main concern is urban sprawl.

Councilmember Pendleton stated that he believes and trusts the members of the Planning Commission and Councilmember Morris.

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

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

Noes: James H. Barnhart

City Clerk, Robert M. Leyde, presented a Resolution to vacate unopened streets and public alley rights of way in Block 674, East Florence, 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. William D. Jordan Hermon T. Graham Barry Morris James H. Barnhart
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Noes:	None
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Councilmember Pendleton moved for adoption of the foregoing resolution. Councilmember Jordan 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
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Noes:	None
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City Clerk, Robert M. Leyde, presented a Resolution to vacate a portion of Koonce Street right-of-way east of Dale's Restaurant, sponsored by Bill Musgrove. Said Resolution follows, to wit:

Councilmember Pendleton moved for immediate consideration of the foregoing resolution.

Councilmember Morris 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
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Noes:	None
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Councilmember Betterton 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
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Noes:	None
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**General Business:**

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to appropriate the following sums for the Gas Department Budget, reflecting projected revenues of \$18,578,500.00 and projected expenses of \$17,896,400.00 and the Water Department Budget, reflecting projected revenues of \$19,758,300.00 and projected expenses of \$16,333,400.00 for fiscal year ending June 30, 2013, sponsored by Mayor Irons. 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
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Noes:	None
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Councilmember Graham moved for adoption of the foregoing resolution. Councilmember Jordan 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
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Noes:	None
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City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for the operation of a Drug Store with Off-Premises Beer & Wine by ALABAMA CVS PHARMACY, LLC, d/b/a CVS PHARMACY #4817, located at 1501 FLORENCE BLVD., FLORENCE, AL 35630, sponsored by Robert M. Leyde. 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
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Noes:	None
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Councilmember Graham moved for adoption of the foregoing resolution. Councilmember Morris seconded the motion.

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

Ayes:	William D. Jordan Hermon T. Graham Barry Morris James H. Barnhart
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Noes:	Sam Pendleton, Jr.
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(c) Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Hospital Board	Vacant		
Housing & Construction Appeals Board	3 - Vacancies		
Zoning Adjustments	1 - Vacancy (Supernumerary)		

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

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and stated "Let's Keep our Democracy Alive".

Mr. John Crowder, 421 Nottingham Road, appeared and stated that he took exception to comments regarding the City's electricity and water problems. Mr. Crowder stated that he does not believe the City has a problem with sustain ability.

Mr. Bart Cannon, appeared and made comments regarding his displeasure with the vote by the Council in favor of the rezoning of property on Cloverdale Road.

Ms. Joan Helton, appeared and stated that she does not approve of the vote in favor of the rezoning of property on Cloverdale Road.

Mr. Daniel Lucas, appeared and made comments regarding electricity, gas and the location of water hydrants.

**Council Reports and/or Comments:**

Councilmember Morris stated that he wished the vote tonight regarding the rezoning of property on Cloverdale Road would have pleased everyone.

Councilmember Betterton recognized Ms. Lucy Wilson who was attending her first City Council meeting. Councilmember Betterton thanked Ms. Tory Bailey for her comments regarding the W. C. Handy Festival.

Councilmember Pendleton thanked the Planning Department for their hard work and dedication. Councilmember Pendleton directed comments to CAUS (citizens against urban sprawl). Councilmember Pendleton stated that there are consequences to threats and elections also have consequences. Councilmember Pendleton further stated that he is not a potted plant.

Councilmember Jordan stated that he appreciated everyone's attendance. Councilmember Jordan express his appreciation to everyone who was involved in this rezoning process.

Councilmember Graham had no comments.

Councilmember Betterton presented the closing prayer.

There being no further business the meeting was adjourned.

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ATTEST:

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CITY CLERK

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