

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
OCTOBER 16, 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, October 16, 2012. President Barnhart called the meeting to order. President Barnhart 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
October 16, 2012
5:00 P.M.

1. Meeting called to order - President Barnhart
2. Invocation - President Barnhart
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 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 October 2, 2012.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Jerry Gowen, DBA Affordable Tree Removal and Stump Grinding, to provide labor, equipment, materials and incidentals necessary to plant various species of trees at locations determined by the City Utilities Electricity Department for a period not to exceed five (5) years, in the amount of \$88.00 per tree, to be paid from budgeted funds Account #953.1 Maintenance of Lines-Tree Trimming, sponsored by Richard Morrissey.

- (d) Resolution authorizing the City to enter into a contract with Ronnie Wright, DBA Tennessee Valley Tree Service, to provide labor, equipment, materials and incidentals necessary to remove and properly dispose of trees, stumps, privet, and existing debris from the right-of-way of Pickens and Midway Streets, in the amount of \$18,500.00, to be paid from budgeted Community Development Block Grant funds, sponsored by Melissa Bailey.
- (e) Resolution authorizing the City to enter into a contract with Brian's Carpet & Tile, Inc., to provide labor, equipment, materials and incidentals necessary to replace the existing tile floor with a modular floor with VCT flooring at the Florence-Lauderdale Coliseum, in the amount of \$74,686.62, to be paid from budgeted funds Account #1053-44410, sponsored by Todd Nix.
- (f) Resolution authorizing the City to enter into a contract with Bagby Elevator Company, Inc., to provide labor, equipment, materials and incidentals necessary to renovate and cause improvements to meet all safety codes on the elevator in the Downtown Parking Deck, in the amount of \$39,009.00, to be paid from Fund 117, Municipal Capital Improvement Fund, sponsored by Bob Leyde.
- (g) Resolution to approve a Deferred Payment Emergency Repair Loan through the Community Development Rehabilitation Program in the amount of \$5,797.98 to Dock McCahey for improvements to property located at 471 North Cypress Street, sponsored by Melissa Bailey.
- (h) Resolution to approve the donation of a 2005 Ford Crown Victoria to the Town of St. Florian, sponsored by Ron Tyler.
- (i) Resolution to approve a contract with the Boys and Girls Club of Northwest Alabama, in the amount of \$10,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (j) Resolution to approve a contract with Burrell Normal - Burrell High - Burrell Slater School Alumni Association to provide for the delivery of meals for homebound elderly, sick persons and handicapped in West Florence; encourage at-risk students to stay in school and dropouts to return to school or complete GED and encourage citizens to cooperate with law enforcement in crime prevention and gang suppression, in the amount of \$10,000.00, to be paid from budgeted funds sponsored by Mayor Bobby Irons and the City Council.
- (k) Resolution to approve a contract with the Colbert-Lauderdale Attention Homes, Inc., in the amount of \$15,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (l) Resolution to approve a contract with the Court Appointed Special Advocates for Children of Florence/Lauderdale County (CASA), in the amount of \$3,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (m) Resolution to approve a contract with the Community Action Agency of Northwest Alabama, Inc., in the amount of \$6,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (n) Resolution to approve a contract with the Community Action Agency of Northwest Alabama, Inc. - Meals on Wheels, in the amount of \$7,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (o) Resolution to approve a contract with the Foster Grandparents Program, in the amount of \$4,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (p) Resolution to approve a contract with the ARC of the Shoals, Inc., in the amount of \$11,200.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (q) Resolution to approve a contract with Hospice of the Shoals, in the amount of \$3,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.

- (r) Resolution to approve a contract with Mainstream Development Corporation, Inc., in the amount of \$5,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (s) Resolution to approve a contract with Maud Lindsey Kindergarten, Inc., in the amount of \$12,825.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (t) Resolution to approve a contract with the Music Preservation Society, Inc., in the amount of \$15,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (u) Resolution to approve a contract with the Cramer Children's Center, Inc., in the amount of \$5,000.00 to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (v) Resolution to approve a contract with the Northwest Alabama Community Health Association, in the amount of \$5,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (w) Resolution to approve a contract with Rape Response, Inc., in the amount of \$2,500.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (x) Resolution to approve a contract with Safeplace, Inc., in the amount of \$10,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (y) Resolution to approve a contract with the Salvation Army, in the amount of \$4,800.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (z) Resolution to approve a contract with the Shoals Area Committee on Employment of People With Disabilities, Inc., in the amount of \$2,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (aa) Resolution to approve a contract with the Shoals National Championship Committee, Inc., in the amount of \$10,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (bb) Resolution to approve a contract with Florence Main Street, Inc., in the amount of \$50,000.00, to be paid from budgeted funds in monthly installments, sponsored by Mayor Irons and the City Council.
- (cc) Resolution to approve a contract with Children's Museum of the Shoals, Inc., in the amount of \$10,000.00, to be paid from budgeted funds, sponsored by Mayor Irons and the City Council.
- (dd) Resolution to appoint Brad Haddock to the Shoals Economic Development Authority.
- (ee) 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 located at 102 S. Court Street, Florence, AL, to Cory, Watson, Crowder & DeGaris, P.C., for a term of one year commencing on October 1, 2012 and ending on September 30, 2013, in the amount of \$9,507.00, sponsored by Dan Barger.
- (b) Ordinance to lease Suite 530 in the Florence-Lauderdale Government Building located at 102 S. Court Street, Florence, AL, to Jamy Poss., for a term of one year commencing on October 1, 2012 and ending on September 30, 2013, in the amount of \$7,380.00, sponsored by Dan Barger.

- (c) Resolution authorizing the City to enter into a contract with Tennessee Valley Tree Service to remove and dispose of trees, stumps and existing debris on the rights of way of Fayette Street, Campbell Street, Foy Street and Buckingham Circle, sponsored by Sam Pendleton. **(This item was added to the agenda)**
- (d) Resolution to authorize the City to settle a claim filed against the City by Bill Howard for an amount not to exceed \$22,824.54, sponsored by Bill Musgrove. **(This item was added to the agenda)**

13. General Business:

- (a) Resolution – Alcohol Beverage License Application for the operation of a Grocery Store with Off-Premises Beer & Wine by BELLE FOODS LLC, d/b/a BELLE FOODS 905, located at 990 COX CREEK PARKWAY, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (b) Resolution – Alcohol Beverage License Application for the operation of a Grocery Store with Off-Premises Beer & Wine by BELLE FOODS LLC, d/b/a BELLE FOODS 55, located at 1604 FLORENCE BLVD., FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (c) Resolution – Alcohol Beverage License Application for the operation of an Automobile Self-Service Station & Convenience Foods with Off-Premises Beer by McCOY COMPANY INC., d/b/a COUSSONS CONVENIENCE, located at 3528 FLORENCE BLVD., FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (d) Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Agri-Business Center	1 - vacancy		
Beautification Board	Scott Townsend	12/07/10	11/01/12
	Susan Burdine	12/01/09	11/01/12
	2 - vacancies		
Historical Board	Kenneth Johnson	03/25/09	12/17/12
	Robert Steen	01/19/10	12/17/12
Housing & Construction Appeals Board	5 - Vacancies		
Library Board	Jeannie Rogers	04/17/07	12/01/12
	1 - Vacancy		
SEDA	1 - Vacancy		
Tree Commission	Kevin Jangaard	09/16/08	11/03/12
	2 - 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.

Minutes of City Council
City of Florence, AL
October 16, 2012

President Barnhart noted that Regular Agenda Item 12 (c) Resolution to approve a contract with Tennessee Valley Tree Service to remove and dispose of trees, stumps and existing debris on the rights of way of Fayette Street, Campbell Street, Foy Street and Buckingham Circle, sponsored by Sam Pendleton and Regular Agenda Item 12 (d) Resolution to authorize the City to settle a claim filed against the City by Bill Howard for an amount not to exceed \$22,824.54, sponsored by Bill Musgrove were added to the Agenda at the earlier work session.

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

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

Noes: None

Message from the Mayor:

Mayor Irons presented a Proclamation designating the week of October 22, 2012 as Pro Bono Week. The Proclamation was received by Mr. Ian Berry, President of the Lauderdale County Bar Association.

Mayor Irons reminded everyone that the 115th Battalion is returning home and he encouraged everyone to honor them by putting up ribbons and flags.

Mayor Irons' comments follow, to wit:

Report of Department Heads: None

Report of Standing Committee: None

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 Pendleton 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 located at 102 S. Court Street, Florence, AL, to Cory, Watson, Crowder & DeGaris, P.C., for a term of one year commencing on October 1, 2012 and ending on September 30, 2013, in the amount of \$9,507.00, sponsored by Dan Barger. Said Ordinance follows, 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

Noes: None

Councilmember Jordan 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
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to lease Suite 530 in the Florence-Lauderdale Government Building located at 102 S. Court Street, Florence, AL, to Jamy Poss., for a term of one year commencing on October 1, 2012 and ending on September 30, 2013, in the amount of \$7,380.00, 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.
William D. Jordan
Hermon T. Graham
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

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
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into a contract with Tennessee Valley Tree Service to remove and dispose of trees, stumps and existing debris on the rights of way of Fayette Street, Campbell Street, Foy Street and Buckingham Circle, sponsored by Sam Pendleton. Said Resolution follows, to wit:

Councilmember Pendleton 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 Betterton seconded the motion.

Discussion:

Councilmember Pendleton thanked Mayor Irons for his support of removing blight in West 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 to authorize the City to settle a claim filed against the City by Bill Howard for an amount not to exceed \$22,824.54, sponsored by Bill Musgrove. 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 Morris 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
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for the operation of a Grocery Store with Off-Premises Beer & Wine by BELLE FOODS LLC, d/b/a BELLE FOODS 905, located at 990 COX CREEK PARKWAY, FLORENCE, AL 35630, sponsored by Robert M. Leyde. 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
Andrew Betterton

Noes: None

Councilmember Pendleton 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: 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 – Alcohol Beverage License Application for the operation of a Grocery Store with Off-Premises Beer & Wine by BELLE FOODS LLC, d/b/a BELLE FOODS 55, located at 1604 FLORENCE BLVD., FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Graham 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 Morris 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
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for the operation of an Automobile Self-Service Station & Convenience Foods with Off-Premises Beer by McCOY COMPANY INC., d/b/a COUSSONS CONVENIENCE, located at 3528 FLORENCE BLVD., FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Morris 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 Morris 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

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Agri-Business Center	1 - vacancy		
Beautification Board	Scott Townsend Susan Burdine 2 - vacancies	12/07/10 12/01/09	11/01/12 11/01/12
Historical Board	Kenneth Johnson Robert Steen	03/25/09 01/19/10	12/17/12 12/17/12
Housing & Construction Appeals Board	5 - Vacancies		
Library Board	Jeannie Rogers 1 - Vacancy	04/17/07	12/01/12
SEDA	1 - Vacancy		
Tree Commission	Kevin Jangaard 2 - Vacancies	09/16/08	11/03/12
Zoning Adjustments	1 - Vacancy (Supernumerary)		

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

Mr. Paul Glover, 741 East Lakeside Drive, appeared and made comments regarding leaves. Mr. Glover suggested that the City supply citizens with containers for leaves and other lawn debris.

Mr. John Harris, 930 Dixie Avenue, appeared and made comments regarding dogs barking. Mr. Harris stated that the City should handle this matter and that he should not have to go to court.

Council Reports and/or Comments:

Councilmember Morris stated that he would like to take a moment and welcome home the 115th Battalion.

Councilmember Morris expressed his appreciation to Mayor Irons, President Barnhart and Councilmember Pendleton for their service to our City.

Councilmember Betterton also thanked Mayor Irons, President Barnhart and Councilmember Pendleton for their service and also their encouragement.

Councilmember Pendleton stated that he has always wanted to be recognized as the Councilmember for District 1, not as the Black Councilmember for District 1.

Councilmember Pendleton made comments regarding the Police Department. Councilmember Pendleton stated that Florence is still in need of 20 additional police officers. Councilmember Pendleton further stated that Florence needs to continue with SRO in the schools and police officers in public housing. Councilmember Pendleton stated that the Florence Police

Department needs to assist UNA's police.

Councilmember Pendleton thanked President Barnhart for arranging a meeting with Mayor Irons and himself and he thanked Mayor Irons for agreeing to meet with him. Councilmember Pendleton also thanked Sandra Morgan and Martha Murphy. Councilmember Pendleton stated that he was saying goodbye.

Councilmember Jordan commended Mayor Irons and President Barnhart for their hard work and service to the City of Florence in the last eight years. Councilmember Jordan stated that President Barnhart is a man of integrity and that he can always be counted on for his straight forward, honest opinions.

Councilmember Jordan stated that he has served with Councilmember Pendleton for over twenty years and that during that time there have been many changes and difficulties such as mourning the loss of Mayor Frost. Councilmember Jordan further stated that the City of Florence is a better and safer place today because of Councilmember Pendleton's leadership.

Councilmember Graham welcomed home the 115th Battalion. Councilmember Graham expressed his appreciation to Mayor Irons, Sara Irons, President Barnhart and Councilmember Pendleton.

Councilmember Graham reminded everyone of the District 3 Community meeting on October 25th.

President Barnhart thanked the citizens of District 5. President Barnhart also thanked the members of the Council.

Councilmember Pendleton commended Councilmember Betterton for the drainage corrections in his district.

Councilmember Morris made a motion to adjourn.

Councilmember Betterton seconded the motion.

Councilmember Morris presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK