

**CITY OF FLORENCE  
MINUTES OF CITY COUNCIL  
March 4, 2014  
“Youth In Government”**

The regular meeting of the City Council of the City of Florence, Alabama, was held in the City Hall Auditorium in Florence at 10:00 a.m., on Tuesday, March 4, 2014. President Jordan called the meeting to order. Councilmember Edwards 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: Dave Smith, William D. Jordan, Hermon T. Graham, Barry Morris, Blake Edwards and Andrew Betterton.

**AMENDED AGENDA**

**CITY OF FLORENCE, ALABAMA**

**CITY COUNCIL MEETING**

**March 4, 2014**

**10:00 A.M.**

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1. Meeting called to order - President Jordan
  2. Invocation - Councilmember Edwards
  3. Pledge of Allegiance
  4. Roll Call - President Jordan
  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 256-760-6400 for questions on Consent Agenda items prior to the Council meeting.

- (a) Approval of minutes of the February 18, 2014 meeting.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution to cancel previous contract approved on 2/18/2014 and authorizing the City to approve the new contract with C&M Testing, LLC, to provide professional Geotechnical Investigation services for the proposed Florence River Heritage Project, Phase 3, in the amount of \$4,830.00, to be paid from General Obligation Warrants, Series 2013 funds, sponsored by Melissa Bailey.

- (d) Resolution authorizing the City to enter into a contract with Highland Technical Services, Inc., to perform required semi-annual groundwater collection and transportation and prepare monitoring reports and statistical analysis for the Florence Landfill, in the amount of \$5,475.00, to be paid from Account #256-43200, sponsored by David Koonce.
  - (e) Resolution authorizing the City to enter into a contract with B.H. Craig Construction Company, Inc., to provide labor, equipment, materials and incidentals necessary for the Wilson Lake Intake Improvements, in the amount of \$1,332,197.00 and in accordance with the terms and conditions of the Invitation-To-Bid prepared by The Engineers of the South, to be paid from a combination of ADEM SRF funds and a TVA Energy Efficiency Grant, sponsored by Mike Doyle.
  - (f) Resolution authorizing the City to enter into a contract with Johnson & Associates, Inc., to provide professional civil engineering and surveying services for the Sweetwater Intersection Improvements: Royal Avenue at Huntsville Road Project, sponsored by Bill Batson. **(This item was moved to Regular Agenda Item 12 (b))**
  - (g) Resolution authorizing the City to enter into a contract with Shoal MPE, LLC, to provide labor, equipment, materials and incidentals necessary to install the 130 kw generator at the Florence Police Department, 702 South Seminary Street, in the amount of \$17,200.00, to be paid from Account #1147, sponsored by Ron Tyler.
  - (h) Resolution authorizing the City to enter into a contract with H & N Construction Company, Inc., to provide labor, equipment, materials and incidentals necessary to construct Phase II Coffee-O'Neal Park/Sports Complex, in the amount of \$2,231,000.00, and Alternate No. 1 in the amount of \$121,000.00 in accordance with the terms and conditions of the Invitation-To-Bid prepared by The Architects Office, LLC, to be paid from General Obligation Warrants, Series 2013, sponsored by Todd Nix. **(this item was moved to Regular Agenda Item 12 (c))**
  - (i) Resolution approving the Agreement, TV-70310A, Supp, No. 62, between the City and the Tennessee Valley Authority for a joint cost study, sponsored by Vance Young.
  - (j) Resolution approving the Satisfaction of Mortgage regarding a Community Development Leveraging Program Loan to Meffords Jewelers of Alabama, Inc., sponsored by Bill Musgrove.
  - (k) Resolution to appoint Mary Eastman to the Shoals SCOPE for MR, Inc., sponsored by the City Council.
  - (l) Resolution to appoint John Baker to the Florence Beautification Board, sponsored by the City Council.
  - (m) Resolution to appoint Margaret McCloy to the Florence Beautification Board, sponsored by the City Council.
  - (n) Resolution to appoint Pamela Lyle to the Florence Beautification Board, sponsored by the City Council.
  - (o) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Haddock.
12. Regular Agenda:
- (a) Resolution to establish premium rates associated with Employee Health and Dental Benefit Plan Sponsored by the City Council Finance Committee and the Employee Benefits Committee.

- (b) Resolution authorizing the City to enter into a contract with Johnson & Associates, Inc., to provide professional civil engineering and surveying services for the Sweetwater Intersection Improvements: Royal Avenue at Huntsville Road Project, sponsored by Bill Batson. **(This item was moved from Consent Agenda, Item 11 (f))**
- (c) Resolution authorizing the City to enter into a contract with H & N Construction Company, Inc., to provide labor, equipment, materials and incidentals necessary to construct Phase II Coffee-O'Neal Park/Sports Complex, in the amount of \$2,231,000.00, and Alternate No.1 in the amount of \$121,000.00 in accordance with the terms and conditions of the Invitation-To-Bid prepared by The Architects Office, LLC, to be paid from General Obligation Warrants, Series 2013, sponsored by Todd Nix. **(This item was moved from Consent Agenda, Item 11 (h))**

13. General Business:

- (a) Resolution – Alcohol Beverage License Application for the operation of a Package Store with Off-Premises Liquor, Beer & Wine by DANDYS DISCOUNT PACKAGE STORES, INC, d/b/a DANDY'S #1 at 3502 FLORENCE BLVD, FLORENCE, AL 35634, sponsored by Robert M. Leyde.
- (b) Resolution – Alcohol Beverage License Application for the operation of a Package Store with Off-Premises Liquor, Beer & Wine by DANDYS DISCOUNT PACKAGE STORES, INC, d/b/a DANDY'S #2 at 3805 FLORENCE BLVD, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (c) Resolution – Alcohol Beverage License Application for the operation of a Full-Menu Restaurant with On-Premises Liquor, Beer, & Wine by DALES RESTAURANT-FLORENCE, LLC, d/b/a SPERRY'S RESTAURANT at 1001 MITCHELL 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>Expires</u>
Agri-Business Center	Vacant		
Parks and Recreation	Randy Chapin	12/19/06	10/30/13
	Rick Collins	02/02/93	10/30/13
Scope 310	Reginald Owens	04/03/01	07/21/13
Industrial Development	Clint Wilkes	04/05/02	04/05/14
	Scott Haataja	10/14/03	04/05/14
	Bill Howard	12/06/05	04/05/14

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

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

Councilmember Betterton  
 Councilmember Smith  
 Councilmember Morris  
 Councilmember Graham  
 Councilmember Edwards  
 Councilmember Jordan

16. Motion to Adjourn.

President Jordan noted that it was decided at the earlier work session to move Consent Agenda Item 11 (f) Resolution authorizing the City to enter into a contract with Johnson & Associates, Inc., to provide professional civil engineering and surveying services for the Sweetwater Intersection Improvements: Royal Avenue at Huntsville Road Project, sponsored by Bill Batson to Regular Agenda Item 12 (b) and Consent Agenda Item, 11 (h) Resolution authorizing the City to enter into a contract with H & N Construction Company, Inc., to provide labor, equipment, materials and incidentals necessary to construct Phase II Coffee-O'Neal Park/Sports Complex, in the amount of \$2,231,000.00, and Alternate No.1 in the amount of \$121,000.00 in accordance with the terms and conditions of the Invitation-To-Bid prepared by The Architects Office, LLC, to be paid from General Obligation Warrants, Series 2013, sponsored by Todd Nix to Regular Agenda Item 12 (c).

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

Ayes: Dave Smith  
Hermon T. Graham  
William D. Jordan  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

**Message from the Mayor:**

Mayor Haddock's comments follow, to wit:

**Report of Department Heads: None**

**Report of Standing Committee:**

President Jordan, Chairperson of the Finance Committee, noted that the Finance Committee met on March 3, 2014, to discuss the funding for the Sportsplex expansion project. Those present were President Jordan, Mayor Haddock, Councilmember Edwards, Dan Barger, Chief Accountant/Treasurer and Todd Nix, Director of Parks & Recreation. President Jordan noted that the lowest bid for the project was \$600,000.00 over the projected budget. President Jordan stated that the Committee agreed to recommend to the Council to appropriate \$400,000.00 from the reserve fund and \$200,000.00 from the City Hall Plaza project to make up for the overage.

President Jordan, noted that the Wayfinding Committee met on March 3, 2014. Those in attendance were President Jordan, Councilmember Betterton, Melissa Bailey, Planning Director, Bud Pride, Mike Fountain and ALDOT officials. President Jordan stated that the committee made recommendations to ALDOT for additional signage in Florence. President Jordan further stated that when approval is granted by ALDOT then we will proceed with this project.

Councilmember Edwards, Chairperson of the Public Works Committee, comments follow,  
to wit:

**Public Hearing:** None

**Business from the Floor Pertaining to Items on the Consent Ordinance Regular Agenda:** None

**Consent Agenda:**

President Jordan 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 Graham seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to establish premium rates associated with Employee Health and Dental Benefit Plan Sponsored by the City Council Finance Committee and the Employee Benefits Committee. Said Resolution follows, to wit:

Councilmember Smith moved for immediate consideration of the foregoing Resolution.

Councilmember Graham seconded the motion. A vote taken thereon resulted as follows:

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Morris moved for adoption of the foregoing Resolution. Councilmember seconded the motion.

**Discussion:**

Councilmember Graham made comments in favor of the proposed resolution.

Councilmember Graham stated that the City had two choices, either increase the premium that the employees pay or reduce the benefits. Councilmember Graham further stated that this solution is the lesser of the two evils. Councilmember Graham stated that there has not been an increase since 2005.

Councilmember Betterton thanked Alanna Sullivan, Dan Barger and others for their hard work regarding this matter. Councilmember Betterton stated that the cost has risen 80% over the last ten years.

Councilmember Morris made comments in favor of the proposed resolution.

Councilmember Morris noted that the City pays 75% of the health insurance and that the employees pay 25% of the total cost of nine million dollars a year. Councilmember Morris stated that at least for the time being the employees will get to keep their insurance.

Councilmember Edwards stated that in 2005 the employees received a cost of living raises to off set the increase in the health insurance premium. Councilmember Edwards further stated that he hopes it will be number of years before there is another increase.

President Jordan stated that the main objective was to keep the same benefits.

Councilmember Edwards stated that a benefit package is a very important part of your salary.

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



Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into a contract with Johnson & Associates, Inc., to provide professional civil engineering and surveying services for the Sweetwater Intersection Improvements: Royal Avenue at Huntsville Road Project, sponsored by Bill Batson. Said Resolution follows, to wit:

Councilmember Smith moved for immediate consideration of the foregoing Resolution.

Councilmember Betterton seconded the motion. A vote taken thereon resulted as follows:

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing Resolution.

Councilmember Smith seconded the motion.

**Discussion:**

Councilmember Morris made comments in opposition to the proposed resolution.

Councilmember Morris stated that this project, at the cost of \$1,500,000.00 may not be the highest priority at this time. Councilmember Morris further stated that there are other needs that should have a higher priority. Councilmember Morris stated that the City is having to provide \$300,000.00 for this project with the remainder being paid by the State of Alabama. Councilmember Morris further stated that the project will probably cost more than \$1,500,000.00.

Councilmember Betterton stated that this resolution is to spend \$49,000.00 to look at the project and how to move forward. Councilmember Betterton further stated that this will be a great asset to East Florence especially with the new hospital locating in that area.

Councilmember Graham noted that ATRIP money was designated for this project and if we do not use the money then we will lose it. Councilmember Graham further noted that the money earmarked from the State for this project cannot be used for other projects.

President Jordan stated that there are a number of streets that need paving and also we have a number of drainage problems that need addressing. President Jordan further noted that these projects will be funded from the bond issue and also from the gasoline tax fund. President Jordan stated that we decided on three major projects to submit to the State for ATRIP funding. President Jordan further stated that ATRIP funding will resurface Wood Avenue, fund a number of street scape projects and fund the roundabout on Royal Avenue. President Jordan stated that the City has different funds for different projects.

Councilmember Betterton noted that the Engineering Department is looking closely at the City streets to establish a priority list for resurfacing projects in the future.

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

Ayes:           Dave Smith  
                  William D. Jordan  
                  Hermon T. Graham  
                  Blake Edwards  
                  Andrew Betterton

Noes:           Barry Morris

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into a contract with H & N Construction Company, Inc., to provide labor, equipment, materials and incidentals necessary to construct Phase II Coffee-O'Neal Park/Sports Complex, in the amount of \$2,231,000.00, and Alternate No.1 in the amount of \$121,000.00 in accordance with the terms and conditions of the Invitation-To-Bid prepared by The Architects Office, LLC, to be paid from General Obligation Warrants, Series 2013, sponsored by Todd Nix. Said Resolution follows, to wit:

Councilmember Smith moved for immediate consideration of the foregoing Resolution.

Councilmember Betterton seconded the motion. A vote taken thereon resulted as follows:

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing Resolution.

Councilmember Smith seconded the motion.

**Discussion:**

Councilmember Morris made comments in opposition to the proposed resolution.

Councilmember Morris stated that the Sportsplex was budgeted for \$1,700,000.00 and that this Council should prioritize these projects that are being funded by bond money. Councilmember Morris further stated that we have borrowed 19 million dollars and we have 13 projects to be funded from the bond money. Councilmember Morris stated that this Council has made no attempt to prioritize these projects and now this project has a cost overrun of 38%. Councilmember Morris further stated that if each project has cost overruns then we will be unable to complete all of the 13 projects that we have planned. Councilmember Morris stated that he does not understand the reason that this project has to be first.

Councilmember Graham made comments in favor of the proposed resolution.

Councilmember Graham stated that priority-wise, this project would be first on the list.

Councilmember Graham further stated that not only does the Sportsplex provide great fields for our children but it generates revenue for our restaurants and hotels.

Councilmember Betterton made comments in favor of the proposed resolution.

Councilmember Betterton stated that we need to move forward with this project.

Councilmember Edwards made comments in favor of the proposed resolution.

Councilmember Edwards stated that we do need to prioritize and that the new pod at the Sportsplex would probably be at the top of the list. Councilmember Edwards further stated that the Sportsplex is in need of expansion.

President Jordan stated that the Finance Committee met yesterday and has begun the process of prioritizing the projects. President Jordan further stated that we need to prioritize the projects as they come in.

Councilmember Morris stated that “need” is a funny word. Councilmember Morris stated that the softball fields are good but we have not systemically prioritized these projects.

President Jordan stated that drainage projects are a priority and that we have set aside several million dollars to address these issues. President Jordan further stated that we have put a lot of thought into developing a list of projects.

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

Ayes:           Dave Smith  
                  William D. Jordan  
                  Hermon T. Graham  
                  Blake Edwards  
                  Andrew Betterton

Noes:           Barry Morris

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for the operation of a Package Store with Off-Premises Liquor, Beer & Wine by DANDYS DISCOUNT PACKAGE STORES, INC, d/b/a DANDY’S #1 at 3502 FLORENCE BLVD, FLORENCE, AL 35634, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Smith moved for immediate consideration of the foregoing Resolution.

Councilmember Betterton seconded the motion. A vote taken thereon resulted as follows:

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing Resolution.

Councilmember Smith seconded the motion.

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for the operation of a Package Store with Off-Premises Liquor, Beer & Wine by DANDYS DISCOUNT PACKAGE STORES, INC, d/b/a DANDY'S #2 at 3805 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: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Smith 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: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
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Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for the operation of a Full-Menu Restaurant with On-Premises Liquor, Beer, & Wine by DALES RESTAURANT-FLORENCE, LLC, d/b/a SPERRY’S RESTAURANT at 1001 MITCHELL BLVD, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

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Andrew Betterton

Noes: None

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Agri-Business Center	Vacant		
Parks and Recreation	Randy Chapin	12/19/06	10/30/13
	Rick Collins	02/02/93	10/30/13
Scope 310	Reginald Owens	04/03/01	07/21/13
Industrial Development	Clint Wilkes	04/05/02	04/05/14
	Scott Haataja	10/14/03	04/05/14
	Bill Howard	12/06/05	04/05/14



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

Mr. Ronnie Pannell, 422 North Main Street, appeared and made comments regarding Cypress Creek. Mr. Pannell, on behalf of the Will Pannell family, thanked Mayor Haddock and the City Council for their action and changes regarding the improvements to the low-head dam on Cypress Creek. Mr. Pannell stated that he hopes no one else will lose their life on Cypress Creek.

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments regarding gun violence. Mr. Simpson stated that we should not try to put a gun in everyone's hand.

Mr. Simpson also made comments regarding the sale of alcohol. Mr. Simpson stated that the solution to alcohol - if you haven't started, don't start; if you have - quit.

Mr. Chris Burton, student with Youth In Government, appeared and stated that he agreed with Councilmember Morris regarding prioritizing projects.

Mr. Benjamin Borden, student, appeared and made comments regarding gun violence. Mr. Borden stated that a person who wants to do violence with a gun is not going to get a gun permit.

Ms. Amber, student, appeared and made comments regarding the location of the new proposed hospital site. Ms. Amber stated that she feels that the hospital should be built at the former Foundry location. Ms. Amber noted that the church she attends has to move because of the proposed site.

President Jordan addressed Ms. Amber's comments regarding the location of the new proposed hospital site. President Jordan stated that Regional Health Care searched numerous sites and found that the location in East Florence will meet the needs of Lauderdale and Colbert County as well as North Mississippi.

Mr. Ronnie Pannell, Government Teacher, spoke on behalf of Ms. Molly Ridgeway, student, who is unable to speak and wanted to know if it is possible to text "911" in case of an emergency. Councilmember Betterton stated that he currently serves on the 911 Board and will ask that question at the next 911 Board meeting.

**Council Reports and Comments:**

Councilmember Betterton thanked everyone for attendance to today's meeting. Councilmember Betterton stated that it is important for you to be a leader in your school and your community.

Councilmember Smith thanked the students for their participation in "Youth In Government" day sponsored by the Exchange Club. Councilmember Smith told the students to continue studying and to have fun.

Councilmember Graham also thanked the students for their participation.

Councilmember Morris stated that he hoped that missing algebra was worth this.

Councilmember Edwards stated that Florence is a great place to live.

President Jordan also thanked the students and teachers who were in attendance today.

Councilmember Graham presented the closing prayer.

There being no further business the meeting was adjourned.

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ATTEST:

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CITY CLERK