



**CITY OF FLORENCE  
MINUTES OF CITY COUNCIL  
August 4, 2015**

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, August 4, 2015. President Jordan called the meeting to order. Councilmember Graham gave the invocation and led in the Pledge of Allegiance. Robert M. Leyde, City Clerk, performed the roll call and noted that six Councilmembers were present and a quorum was present with the following members of the City Council in attendance: Dave Smith, William D. Jordan, Hermon T. Graham, Barry Morris, Blake Edwards and Andrew Betterton

**AMENDED AGENDA**

**CITY OF FLORENCE, ALABAMA  
CITY COUNCIL MEETING**

**AUGUST 4, 2015**

**5:00 P.M.**

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1. Meeting called to order - President Jordan
  2. Invocation - Councilmember Graham
  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: 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 256-760-6400 for questions on Consent Agenda items prior to the Council meeting.

- (a) Approval of minutes of the July 21, 2015, meeting.
- (b) Confirm payment of bills by the City Treasurer.

- (c) Resolution authorizing the City to enter into a contract with M & M Equipment Co., Inc., to provide labor, equipment, materials and incidentals necessary to perform updates to two (2) underground gasoline storage tanks, 312 South Cherry Street, in the amount of \$13,914.53, to be paid from budgeted funds, Account #394 - Tools, Shop and Garage Equipment, sponsored by Richard Morrissey.
- (d) Resolution authorizing the City to enter into a contract with Computer Support Systems, Inc., to provide labor, equipment, materials and incidentals necessary to terminate two (2) ends of a 288-strand single-mode fiber optic cable; install fiber optic connectors; install fiber optic patch panels; and provide test results for the fiber, in the amount of \$20,126.00, to be paid from budgeted funds, Account #397 - Communication Equipment, sponsored by Richard Morrissey.
- (e) Resolution authorizing the City to enter into a contract with SERVPRO of the Quad Cities, Inc., to provide labor, equipment, materials and incidentals necessary for commercial water damage restoration at Fire Station No. 1, 402 South Wood Avenue, in the amount of \$3,734.00, to be expensed from Account #266-42200 - Building Maintenance & Repairs, sponsored by Jeffrey Perkins.
- (f) Resolution authorizing the City to enter into a contract with A-1 Fence Company, Inc., to provide labor, equipment, materials and incidentals necessary to install four (4) chain link dog kennels for the Florence-Lauderdale Animal Control Department, in the amount of \$1,587.00, to be paid from budgeted funds, Account #199-328, sponsored by Vinny Grosso.
- (g) Resolution authorizing the City to enter into a contract with Shoals MPE, LLC, to provide labor, equipment, materials and incidentals necessary to install lamps and contactors for the lights in the River Heritage Interactive Fountain, in the amount of \$5,848.26, to be paid from budgeted funds, Account #260-44725, sponsored by Todd Nix. **(This item was moved to Regular Agenda 12 (c))**
- (h) Resolution authorizing the City to enter into a contract with Commercial Industrial Renovators, Inc., to provide labor, equipment, materials and incidentals necessary to prep and paint the north locker room exterior walls and doors, west side handrails, northernmost and southernmost concrete walls on the west side, and various other areas at Braly Municipal Stadium, in the amount of \$13,285.00, to be split 50/50 between the Florence City School System and UNA, sponsored by Todd Nix.
- (I) Resolution authorizing the City to enter into a contract with Scarborough Door & Hardware, Inc., to provide labor, equipment, materials and incidentals necessary to replace doors throughout the Broadway Recreation Center, in the amount of \$7,582.00, to be paid from budgeted funds, Account #117-266-44410, sponsored by Todd Nix.
- (j) Resolution authorizing the City to enter into a contract with Certified Alarm Company of Alabama, Inc., to provide labor, equipment, materials and incidentals necessary to replace power tone cards and emergency horns/sirens at Blackberry Trail Golf Course, in the total amount of \$2,242,76, to be paid from budgeted funds, Account #266-44730, sponsored by Todd Nix.
- (k) Resolution authorizing the City to enter into a contract with Garnet Electric Co., Inc., to provide labor, equipment, materials and incidentals necessary to replace ballasts and bulbs at the Handy Recreation Center, 1105 Beale Street, in the amount of \$1,052.85, to be paid from budgeted funds, Account # 266-44410, sponsored by Todd Nix. **(This item was moved to Regular Agenda, 12 (d))**
- (l) Resolution authorizing the City to enter into a contract with Atlas Builders and Roofing, Inc., to provide labor, equipment, materials and incidentals necessary to perform roof repairs to the southwest ticket booth and the west mechanical room at Braly Municipal Stadium, in the amount of \$6,500.00, to be charged to the stadium budget and split 50/50 between the Florence City School System and UNA, sponsored by Todd Nix.
- (m) Resolution to approve a Release and Assignment of Claim for Radio Shack, sponsored by Vance Young.
- (n) Resolution to appoint Linda Austin to the Riverbend Center of Mental Health - Board of Directors, sponsored by the City Council.

- (o) Resolution to approve changing the name of Shoals Committee on Programs and Employment for the Mentally Retarded to Scope 310 Authority, sponsored by Mayor Haddock and Andy Betterton.
- (p) Resolution to advance and reimburse travel expenses to City employees, sponsored by Mayor Haddock.

12. Regular Agenda:

- (a) Ordinance to lease property located at 218 North Court Street for the amount of \$100.00 per year, for a term of three (3) years commencing on August 4, 2015, and ending on August 3, 2018, sponsored by Bill Musgrove.
- (b) Resolution to approve the construction of an extended service area that includes a portion of the sidewalk area of the North Court Street right-of-way by the owner of Woodpecker Café, located at 218 North Court Street, sponsored by Bill Musgrove.
- (c) Resolution authorizing the City to enter into a contract with Shoals MPE, LLC, to provide labor, equipment, materials and incidentals necessary to install lamps and contactors for the lights in the River Heritage Interactive Fountain, in the amount of \$5,848.26, to be paid from budgeted funds, Account #260-44725, sponsored by Todd Nix. **(This item was moved from Consent Agenda Item, 11(g))**
- (d) Resolution authorizing the City to enter into a contract with Garnet Electric Co., Inc., to provide labor, equipment, materials and incidentals necessary to replace ballasts and bulbs at the Handy Recreation Center, 1105 Beale Street, in the amount of \$1,052.85, to be paid from budgeted funds, Account # 266-44410, sponsored by Todd Nix. **(This item was moved from Consent Agenda Item, 11(k))**

13. General Business:

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Beautification	Vacancy		
Housing/Const	Adam Burchell	06/19/12	09/30/15
	Jack Reid	09/06/05	09/30/15
	William Wynne	09/06/05	09/30/15
	Thomas Pigg	09/06/05	09/30/15
Parks & Rec	James (Buck) Morris	09/20/05	10/30/15
SCOPE 310	Josh Webster Vacancy	08/21/12	07/21/15
SEDA	Bud Ward	12/04/12	09/30/15
	Brad Haddock	10/16/12	09/30/15

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

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

- Council member Edwards
- Council member Betterton
- Council member Smith
- Council member Graham
- Council member Morris
- Council member Jordan

16. Motion to Adjourn.

President Jordan noted that it was decided at the earlier work session to moved Consent

Agenda Item 11 (g) Resolution authorizing the City to enter into a contract with Shoals MPE, LLC, to provide labor, equipment, materials and incidentals necessary to install lamps and contactors for the lights in the River Heritage Interactive Fountain, in the amount of \$5,848.26, to be paid from budgeted funds, Account #260-44725 to Regular Agenda Item 12 (c) and to move Consent Agenda Item 11 (k) Resolution authorizing the City to enter into a contract with Garnet Electric Co., Inc., to provide labor, equipment, materials and incidentals necessary to replace ballasts and bulbs at the Handy Recreation Center, 1105 Beale Street, in the amount of \$1,052.85, to be paid from budgeted funds, Account # 266-44410 to Regular Agenda Item 12 (d).

There being no further changes, President Jordan asked for a motion for approval of the agenda. Councilmember Smith moved for approval of the amended agenda. 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

**Message from the Mayor:**

Mayor Haddock's 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 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 Smith 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 an Ordinance to lease property located at 218 North Court Street for the amount of \$100.00 per year, for a term of three (3) years commencing on August 4, 2015, and ending on August 3, 2018, sponsored by Bill Musgrove. Said Ordinance follows, to wit:

Councilmember Smith moved for immediate consideration of the foregoing Ordinance.

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 Smith moved for adoption of the foregoing Ordinance. Councilmember Graham seconded the motion.

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

Ayes: 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 approve the construction of an extended service area that includes a portion of the sidewalk area of the North Court Street right-of-way by the owner of Woodpecker Café, located at 218 North Court Street, sponsored by Bill Musgrove. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

Councilmember Smith 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 authorizing the City to enter into a contract with Shoals MPE, LLC, to provide labor, equipment, materials and incidentals necessary to install lamps and contactors for the lights in the River Heritage Interactive Fountain, in the amount of \$5,848.26, to be paid from budgeted funds, Account #260-44725, sponsored by Todd Nix. Said Resolution follows, to wit:



Councilmember Edwards 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 Graham moved for adoption of the foregoing Resolution.

Councilmember Edwards 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

Noes: None

Abstain: Andrew Betterton

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into a contract with Garnet Electric Co., Inc., to provide labor, equipment, materials and incidentals necessary to replace ballasts and bulbs at the Handy Recreation Center, 1105 Beale Street, in the amount of \$1,052.85, to be paid from budgeted funds, Account # 266-44410, sponsored by Todd Nix. 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 Smith moved for adoption of the foregoing Resolution. Councilmember Graham 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

Noes: None

Abstain: Andrew Betterton

Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Beautification	Vacancy		
Housing/Const	Adam Burchell	06/19/12	09/30/15
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	William Wynne	09/06/05	09/30/15
	Thomas Pigg	09/06/05	09/30/15
Parks & Rec	James (Buck) Morris	09/20/05	10/30/15
SCOPE 310	Josh Webster Vacancy	08/21/12	07/21/15
SEDA	Bud Ward	12/04/12	09/30/15
	Brad Haddock	10/16/12	09/30/15

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

Mr. Billy Ray Simpson, 755 West Alabama Street, made comments regarding the Florence City School Superintendent. Mr. Simpson stated that he spoke to the Superintendent regarding a hardship matter and that she was not helpful in this matter.

Mr. Simpson made comments regarding America. Mr. Simpson stated that we should not be known as a Nation with the most prisons and racial unrest. Mr. Simpson further stated that America can be beautiful again when we change our ways.

Mr. John Hargett, 1406 North Wood Avenue, appeared and made comments regarding sustain ability. Mr. Hargett stated that sustain ability sounds like too much government. Mr. Hargett further stated that land use should to be taken out of government hands and given to private companies. Mr. Hargett stated that we need to move from sustain ability and move to freedom.

Mr. Jeff Hopper, 1813 County Road 298, Florence, appeared representing the Shoals Second Amendment, made comments regarding signs that are posted in City parks that ban weapons in the parks. Mr. Hopper stated that the Alabama Attorney General's Office stated that the signs prohibiting fire arms in parks and recreation centers are not complaint with State Law. Mr. Hopper noted that State Law 13a-1161.3 states that Alabama has all jurisdiction over firearms and that no city or county can adopt a law that is stricter than State law. Mr. Hooper further stated that he represents the Shoals Second Amendment and its purpose is to defend the constitutional rights of citizens.

President Jordan noted that he would speak to Bill Musgrove, City Attorney, regarding this matter.

Ms. Terry Waylon, President of Paws Animal Rescue Group, 4637 County Road 24, comments follow, to wit:

President Jordan stated that the safety committee will meet next week to discuss the location of the new animal shelter.

**Council Reports and Comments:**

Councilmember Edwards noted that First Friday is this week and that the W. C. Handy Festival was a great success. Councilmember Edwards further noted that the building of a new animal shelter is not on the back burner.

Councilmember Betterton expressed his appreciation to the volunteers at the Animal Shelter. Councilmember Betterton noted that we are working to improve the pet licensing.

Councilmember Betterton asks that everyone to be careful with school starting up next week.

Councilmember Smith also noted that the W. C. Handy Festival was a great success.

Councilmember Graham thanked everyone for being here tonight. Councilmember Graham stated that this Council will do what is legally correct regarding firearms in parks.

Councilmember Graham congratulated the ballplayers that were recognized early in the meeting. Councilmember Graham also thanked the parents, coaches and supporters.

Councilmember Edwards stated that he agreed with Mr. Hargett's comments regarding sustain ability. Councilmember Morris thanked the 2<sup>nd</sup> Amendment Rights group for their comments regarding firearms.

Councilmember Morris made comments regarding the new animal shelter. Councilmember Morris stated that he agrees with Ms. Waylon regarding her comments about the new animal shelter. Councilmember Morris further stated that the shelter is a top priority and that several members of the Council have visited animal shelters in Huntsville and Decatur.

President Jordan thanked everyone in attendance tonight. President Jordan stated that the new animal shelter is a top priority. President Jordan further stated that the Council has set aside two million dollars for a new animal shelter and the money is still there. President Jordan stated that money has also been set aside for all other capital projects.

Councilmember Edwards presented the closing prayer.

There being no further business the meeting was adjourned.

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ATTEST:

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CITY CLERK