



**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
FEBRUARY 2, 2016**

The regular meeting of the City Council of the City of Florence, Alabama, was held in the City Hall Auditorium in Florence at 5:00 p.m., on Tuesday, February 2, 2016. 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.

AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

FEBRUARY 2, 2016

5:00 P.M.

-
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:
 - (a) Proposed rezoning of property located at 801 Cypress Mill Road from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District) as requested by Brink Brothers.
 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 January 19, 2016, meeting.
 - (b) Confirm payment of bills by the City Treasurer.
 - (c) Resolution authorizing the City to enter into a contract with Warner-Davis, LLC, d/b/a as Service Master, to provide labor, equipment, materials and incidentals necessary for the janitorial service for the Electricity Department Office/Warehouse Complex, in the amount of \$1,600.00 per month, \$.20 per square foot to strip and wax, and \$.19 per square foot to steam clean carpets, and in accordance with the terms and conditions of Invitation-To-Bid No. E-6903, to be paid from budgeted funds, Account #923 - Outside Services Employed, sponsored by Richard Morrissey.
 - (d) Resolution authorizing the City to enter into a contract with Gann's Discount Siding, Inc., to provide labor, equipment, materials and incidentals necessary to build up flat roof and install new metal roof on Florence Fire Station No. 5, in the amount of \$27,930.00, to be paid from budgeted Fund 117, sponsored by Jeffrey Perkins.
 - (e) Resolution authorizing the City to enter into a contract with White, Lynn, Collins and Associates, Inc., for construction engineering and inspection services for the Alabama Department of Transportation Project No. ACOA59651-ATRP(007) Resurface and Reconstruction of Wood Avenue from East Tuscaloosa Street to Gilbert Court, in the amount of \$165,914.00, to be paid from budgeted Fund 188, Account #954-48131, sponsored by Bill Batson.
 - (f) Resolution authorizing the City to enter into a contract with White, Lynn, Collins and Associates, Inc., for engineering services related to the 2016-2020 Phase II MS4 National Pollutant Discharge Elimination System (NPDES) Permit, in the amount of \$24,300.00, to be paid from budgeted funds, Special Project Account #398-43110, sponsored by Bill Batson.
 - (g) Resolution authorizing settlement of the lawsuit filed against the City by Charles Edward Sides, Jr., for an amount not to exceed \$18,000.00, sponsored by Bill Musgrove.
 - (h) Resolution authorizing settlement of the lawsuit filed against the City by Judy Graham and Auto Owners Insurance for an amount not to exceed \$47,625.00, sponsored by Bill Musgrove.
 - (i) Resolution authorizing the City to enter into a contract with Municipal Code Corporation, to provide professional services for Supplement No. 1 to the Florence Code of Ordinances, in the amount of \$2,373.95, to be paid from budgeted funds, Account #362-41590 - Municipal Code Expense, sponsored by Robert M. Leyde.
 - (j) Resolution authorizing the City to approve the use of a Snooper or Reachall truck and operators from the Alabama Department of Transportation to inspect city owned bridges, in the amount of \$3,957.20, to be paid from budgeted funds, Special Project Account #398-43110, sponsored by Bill Batson.
 - (k) Resolution to advance and reimburse travel expenses to City employees, sponsored by Mayor Haddock.
12. Regular Agenda:
- (a) Ordinance rezoning property located at 801 Cypress Mill Road from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District) as requested by Brink Brothers, sponsored by Melissa Bailey. **(This item was removed from the agenda)**
13. General Business:
- (a) Resolution - Alcohol License Application for a Special Event called "The Florence Wine Fest," with On-Premises Wine, by CBJA HOLDINGS, d/b/a THE CARRIAGE, to take place on Saturday, March 12th, 2016, and located at 121 to 123 E MOBILE ST, FLORENCE, AL 35630, 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 CORDELL MARKET, LLC., d/b/a CHAZZ PACKAGE STORE #4, located at 1220 N WOOD AVENUE, 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>Expires</u>
Beautification Vacancy			
Historical	Kenneth Johnson	03/24/09	12/17/15
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	Mike Williams	12/01/09	10/30/14
SCOPE 310	Josh Webster	08/21/12	07/21/15
	Vacancy		

14. Business from the public (5-minute time limit).
15. Council Members reports and/or comments (5-minute time limit).

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

16. Motion to Adjourn.

President Jordan asked for a motion for approval of the agenda. Councilmember Betterton moved for approval of the 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 complimented City Employees on their commitment to serve the public. Mayor Haddock noted that Mr. L. L. Whitten passed away last week. Mayor Haddock further noted that Mr. Whitten was a former City Commissioner that served Florence from 1963 until 1966.

The Shoals Entrepreneurial Center presented a resolution thanking Mayor Haddock and the City Council for their support. Resolution follows, to wit:

Report of Department Heads: None

Report of Standing Committee: None

Public Hearing:

President Jordan noted that this is the date and time advertised for a Public Hearing for the proposed rezoning of property located at property located at 801 Cypress Mill Road from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District) as requested by Brink Brothers.

Melissa Bailey, Planning Director, appeared and stated that the property consists of approximately eight acres. Ms. Bailey further stated that the Planning Commission was unanimous in their approval of the proposed rezoning.

Mr. James (Tony) Brink, 506 North Poplar Street, appeared and made comments in favor of the proposed rezoning. Mr. Brink thanked the Council for their consideration of the proposed rezoning.

Mr. Jason Howton, 800 Cypress Mill Road, appeared and made comments regarding his concerns with the property being rezoned for apartments. Mr. Howton stated that he is not in favor or opposed to the rezoning but would like the Council to be aware of his traffic concerns. Mr. Howton further stated he believes apartments will increase traffic on Cypress Mill Road. Mr. Howton further stated that traffic accidents should be a consideration along with pedestrians.

Ms. Bailey stated that multi-family developments are already in existence in this area and there will be no additional access to Cypress Mill Road. Ms. Bailey also stated that during the technical review of the rezoning a number of departments in the City are involved such as the Engineering Department. Ms. Bailey stated that the Engineering Department could look at Cypress Mill Road as far as speed limits and speed bumps.

Councilmember Betterton made comments regarding the traffic concerns. Councilmember Betterton stated that there will not be an increased access from the property onto Cypress Mill Road therefore he believes that this proposed development will not increase traffic.

Ms. Bailey made comments regarding the proposed development. Ms. Bailey noted that there are regulations for an R-3 zone that must be met by the property owners such as buffering the development from adjoining properties.

President Jordan stated that he would like to postpone the vote on the proposed rezoning until the next Council meeting in order to look at these issues further.

President Jordan made a motion to postpone the vote for Regular Agenda Item 12 (a) Ordinance rezoning property located at 801 Cypress Mill Road from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District) until the February 16 Council meeting.

Councilmember Morris Councilmember Morris seconded the motion.

There being no further discussion, a vote taken thereon resulted as follows:

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

Noes: Andrew Betterton

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

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 - Alcohol License Application for a Special Event called "The Florence Wine Fest," with On-Premises Wine, by CBJA HOLDINGS, d/b/a THE CARRIAGE, to take place on Saturday, March 12th, 2016, and located at 121 to 123 E MOBILE ST, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Smith moved for immediate consideration of the foregoing Resolution.

Councilmember Jordan 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 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 - Alcohol Beverage License Application for the operation of a Package Store with Off-Premises Liquor, Beer & Wine by CORDELL MARKET, LLC., d/b/a CHAZZ PACKAGE STORE #4, located at 1220 N WOOD AVENUE, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Morris 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.

Discussion:

President Jordan noted that General Business Item (a) is for a special event license and Item (b) is for a change of ownership.

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

Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Beautification Vacancy			
Historical	Kenneth Johnson	03/24/09	12/17/15
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	William Wynne	09/06/05	09/30/15
	Thomas Pigg	09/06/05	09/30/15
Parks & Rec	Mike Williams	12/01/09	10/30/14
SCOPE 310	Josh Webster Vacancy	08/21/12	07/21/15

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

Mr. Kevin Nauertz, 226 Ironside Street, appeared and made comments regarding a stolen dog. Mr. Nauertz stated that he is trying to help an elderly lady recover her dog that was recently stolen. Mr. Nauertz further stated that Florence Police is not assisting her in this matter.

Mr. Nauertz made comments regarding property that he owns in East Florence. Mr. Nauertz noted that he owns property that is located fifty feet off of Central Avenue and adjacent to Brandon School and he is currently trying to negotiate the sale of the property with ECM Hospital.

Council Reports and Comments:

Councilmember Smith had no comments.

Councilmember Graham had no comments.

Councilmember Morris had no comments.

Councilmember Edwards had no comments.

Councilmember Betterton stated that on February 11 at 5:00 p.m. there will be a “Shoals Tech Meet-up” in the City Auditorium to discuss wi-fi and internet connections.

President Jordan had no comments.

Councilmember Morris presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK