



**CITY OF FLORENCE  
MINUTES OF CITY COUNCIL  
MARCH 19, 2019**

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 19, 2019. 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 five Councilmembers were present and a quorum was present with the following members of the City Council in attendance: Kaytrina Simmons, William D. Jordan, Michelle Eubanks, Blake Edwards and Andrew Betterton. David Bradley was absent.

**AMENDED AGENDA**

**CITY OF FLORENCE, ALABAMA**

**CITY COUNCIL MEETING**

**“YOUTH IN GOVERNMENT”**

**March 19, 2019**

**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: 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 March 5, 2019, meeting.
- (b) Confirm payment of bills by the City Treasurer.

- (c) Resolution to approve a contract with Raney Construction Company to provide labor to tear out and replace wood planks on the bleachers at Veteran's Park, in an amount not to exceed \$5,985.00, to be paid from budgeted funds, Account #110-939-48100, sponsored by Todd Nix.
- (d) Resolution to approve payment of an invoice from Keeton Electric Company to provide electrical and lighting installation at the Recycle Department, in the amount of \$14,293.92, to be expensed to Account #1053-43125, sponsored by David Koonce. **(This item was moved to Regular Agenda Item 12 (b))**
- (e) Resolution to approve a contract with Keeton Electric Company to provide labor, materials, equipment, and incidentals necessary to connect new electrical for Sort System Upgrade to existing electrical, in the amount of \$23,000.00, to be expensed to Account #1053-43125, sponsored by David Koonce. **(This item was moved to Regular Agenda Item 12 (c))**
- (f) Resolution to approve a contract with Mid-South Testing and Engineering to provide environmental services required for compliance of UST, to be paid from budgeted funds, Account #256-43200, sponsored by David Koonce.
- (g) Resolution to approve payment of an invoice from MPE Services, LLC, to install a new water fountain with bottle filter at Deibert Park, in the amount of \$2,117.50, to be paid from budgeted funds, Account #44725-00266, sponsored by Todd Nix.
- (h) Resolution to approve a contract with Irons Electric Company, Inc., to provide labor, equipment, materials, and incidentals necessary to repair flood damages to two electrical panels at the beach/event area in McFarland Park, in the amount of \$5,400.00, to be paid from budgeted Funds, Account #110-393-48100, sponsored by Todd Nix. **(This item was moved to Regular Agenda Item 12 (d))**
- (i) Resolution to approve a contract with Hensley-Thompson Construction, LLC d/b/a Pierce Painting, to provide labor, equipment, materials and incidentals necessary to paint walls, doors, and trim in the Planning Department, in the amount of \$2,850.00, to be paid from budgeted funds, Account #117-1053-41710, sponsored by Melissa Bailey.
- (j) Resolution to approve a contract with Grady Smith, d/b/a The Carpet Store, to provide labor, equipment, materials and incidentals necessary to install carpet in the Planning Department, in the amount of \$9,024.74, to be paid from budgeted funds, Account #117-1053-41710, sponsored by Melissa Bailey.
- (k) Resolution to approve a contract with DC's Floor and Carpet Service, Inc., to provide labor, equipment, materials, and incidentals necessary to steam clean, deodorize, and scotch guard carpet, strip and wax floors, in the amount of \$2,225.00, to be paid from budgeted funds, Account #903, sponsored by Sandie Preedom.
- (l) Resolution to approve a contract with Commercial Industrial Renovators, Inc., to provide labor, equipment, materials, and incidentals necessary to paint the Accounts Receivable section in the Municipal Building, in the amount of \$2,980.00, to be paid from budgeted funds, Account #391.00, sponsored by Mark Lovejoy.
- (m) Resolution to approve a contract with The Carpet Store to provide labor, equipment, materials, and incidentals necessary to carpet the Accounts Receivable section in the Municipal Building, in the amount of \$5,261.71, to be paid from budgeted funds, Account #391.00, sponsored by Mark Lovejoy.
- (n) Resolution to approve a contract with Burrows Masonry Contractors to provide labor, equipment, materials, and incidentals necessary for flood repair work on two privacy walls in the harbor restroom, in the amount of \$3,675.00, to be paid from budgeted funds Account #110-939-48100, sponsored by Todd Nix.
- (o) Resolution to approve a contract with the Shoals Chamber of Commerce to advertize and promote the City, in the amount of \$30,000.00, to be paid from budgeted funds, sponsored by Mayor Holt and the City Council.
- (p) Resolution to approve payment of an invoice from C&H Cooling and Heating, Inc., for the repair of a chill water pump in the FLGB, in the amount of \$1,738.65, to be paid from budgeted funds, Account #400-266-48120, sponsored by Shannon Olive.

- (q) Resolution declaring the existence of local emergency conditions in the City of Florence resulting from recent flash flooding at the request of the Director of the Florence/Lauderdale County Emergency Management Agency in order to implement the Agency's emergency powers as set forth in CODE OF ALABAMA, 1975, as amended, in Section 31-9-10, sponsored by George Grabryan.
- (r) Resolution declaring the existence of a local emergency in the City of Florence resulting from recent storms, flooding and related causes, stemming from the flooding, and causing extreme peril which warrants said declaration of the existence of a local emergency, as requested by the Director of Emergency Management Services, sponsored by George Grabryan.
- (s) Resolution to advance and reimburse travel expenses to City employees, sponsored by Mayor Holt.

12. Regular Agenda:

- (a) Resolution to amend the In Aid of Construction charges, sponsored by Richard Morrissey. **(This resolution did not receive a unanimous vote for immediate consideration at the 03/05/19 Council meeting . A vote for adoption is all that is needed at this time.) (Failed by a vote of 3-2)**
- (b) Resolution to approve payment of an invoice from Keeton Electric Company to provide electrical and lighting installation at the Recycle Department, in the amount of \$14,293.92, to be expensed to Account #1053-43125, sponsored by David Koonce. **(This item was moved from Consent Agenda Item 11 (d)**
- (c) Resolution to approve a contract with Keeton Electric Company to provide labor, materials, equipment, and incidentals necessary to connect new electrical for Sort System Upgrade to existing electrical, in the amount of \$23,000.00, to be expensed to Account #1053-43125, sponsored by David Koonce. **(This item was moved from Consent Agenda Item 11 (e)**
- (d) Resolution to approve a contract with Irons Electric Company, Inc., to provide labor, equipment, materials, and incidentals necessary to repair flood damages to two electrical panels at the beach/event area in McFarland Park, in the amount of \$5,400.00, to be paid from budgeted Funds, Account #110-393-48100, sponsored by Todd Nix. **(This item was moved from Consent Agenda Item 11 (h)**
- (e) Resolution to amend the contract with Rogers Group, Inc. regarding the 2018 Street Resurfacing Program that was approved on November 6, 2018, sponsored by Bill Batson. **(This item was added to the Regular Agenda)**

13. General Business:

- (a) Resolution – Alcohol Beverage License Application for a Special Event with On-Premises Liquor, Beer & Wine, by THE PIE FACTORY OF MUSCLE SHOALS, d/b/a SMOKE ON THE WATER, to take place on Saturday April 27th, 2019 and located at 333 JIM SPAIN DRIVE, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (b) Resolution – Alcohol Beverage License Application for a Full Menu Restaurant with On-Premises Liquor, Beer & Wine, by ICHIBAN FLORENCE LLC, d/b/a ICHIBAN FLORENCE located at 173 COX CREEK PARKWAY SOUTH, 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>
Agri-Business	Vacancy	12/19/17	11/20/18
Library Board (Regional)	Vacancy		
Tree Commission	2 - Vacancies		

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

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

Council member Betterton  
Council member Simmons  
Council member Eubanks  
Council member Bradley  
Council member Edwards  
Council member Jordan  
Mayor Steve Holt

16. Motion to Adjourn.

President Jordan noted that it was decided at the earlier work session to move the following:

Consent Agenda Item 11 (d) Resolution to approve payment of an invoice from Keeton Electric Company to provide electrical and lighting installation at the Recycle Department, in the amount of \$14,293.92, to be expensed to Account #1053-43125, sponsored by David Koonce to Regular Agenda Item 12 (b).

Consent Agenda Item 11 (e) Resolution to approve a contract with Keeton Electric Company to provide labor, materials, equipment, and incidentals necessary to connect new electrical for Sort System Upgrade to existing electrical, in the amount of \$23,000.00, to be expensed to Account #1053-43125, sponsored by David Koonce to Regular Agenda Item 12 (c).

Consent Agenda Item 11 (h) Resolution to approve a contract with Irons Electric Company, Inc., to provide labor, equipment, materials, and incidentals necessary to repair flood damages to two electrical panels at the beach/event area in McFarland Park, in the amount of \$5,400.00, to be paid from budgeted Funds, Account #110-393-48100, sponsored by Todd Nix to Regular Agenda Item 12 (d).

President Jordan further stated that it was also decided to add Regular Agenda Item 12 (e) Resolution to amend the contract with Rogers Group, Inc. regarding the 2018 Street Resurfacing Program that was approved on November 6, 2018, sponsored by Bill Batson.

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

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

Ayes: Kaytrina Simmons  
William D. Jordan  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

**Message from the Mayor:** None

**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:**

Mr. John Blackburn, Assistant Business Manager, for IBEW Local #558, appeared and made comments in opposition to Regular Agenda Item 12 (a) Resolution to amend the In Aid of Construction charges, sponsored by Richard Morrissey. Mr. Blackburn stated that he believes Richard Morrissey, Electrical Manager, has misled the Utility Committee by stating that quality contractors are performing underground utility work in developing subdivisions. Mr. Blackburn further stated that two examples of subdivisions that underground utility work was performed by unqualified contractors are Creekwood Subdivision and Oakhills Subdivision. Mr. Blackburn stated that a resident in Creekwood dug up an underground utility wire while planting tomatoes. Mr. Blackburn further stated that the Water Department was performing work on a sewer line and discovered an underground electrical line had been run through the sewer lines. Mr. Blackburn stated that both of the examples are very dangerous and could have caused great harm. Mr. Blackburn noted that it will not be cost efficient if electrical employees have to go behind contractors and make repairs. Mr. Blackburn further noted that the IBEW does not want to see any of its members lose their jobs.

Mr. Brad Bratcher, 38 year employee with the Florence Electricity Department, appeared and made comments in opposition to Regular Agenda Item 12 (a) Resolution to amend the In Aid of Construction charges, sponsored by Richard Morrissey. Mr. Bratcher stated that ditch digging is not beneath the employees of the Electricity Department. Mr. Bratcher further stated that this action will cause employees to lose their jobs because there is a designated crew that performs this type of work daily. Mr. Bratcher asked the Council to vote against this resolution.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
David Bradley  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to amend the In Aid of Construction charges, sponsored by Richard Morrissey. Said Resolution follows, to wit:

**(This resolution did not receive a unanimous vote for immediate consideration at the 03/05/19 Council meeting . A vote for adoption is all that is needed at this time.)**

Councilmember Edwards moved for adoption of the foregoing Ordinance. President Jordan seconded the motion.

**Discussion:**

Councilmember Edwards made comments in favor of the proposed resolution. Councilmember Edwards stated that the City wants to take care of its employees and this would free employees to do other work that is more important than digging a ditch. Councilmember Edwards further stated that Creekwood and Oakhills were developed many years ago and that contractors today must follow stricter regulations and that the work would have to be properly inspected.

President Jordan made comments in favor of the proposed resolution. President Jordan stated that he takes this matter very seriously and that this resolution does not violate the working agreement between the City and the Electricity Department.

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

Ayes: William D. Jordan  
Blake Edwards

Noes: Kaytrina Simmons  
Michelle Eubanks  
Andrew Betterton

**(The motion failed by a vote of 3-2)**

City Clerk, Robert M. Leyde, presented a Resolution to approve payment of an invoice from Keeton Electric Company to provide electrical and lighting installation at the Recycle Department, in the amount of \$14,293.92, to be expensed to Account #1053-43125, sponsored by David Koonce. Said Resolution follows, to wit:

Councilmember Eubanks moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Eubanks 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: Kaytrina Simmons  
William D. Jordan  
Michelle Eubanks  
Blake Edwards

Noes: None

Abstain: Andrew Betterton

City Clerk, Robert M. Leyde, presented a Resolution to approve a contract with Irons Electric Company, Inc., to provide labor, equipment, materials, and incidentals necessary to repair flood damages to two electrical panels at the beach/event area in McFarland Park, in the amount of \$5,400.00, to be paid from budgeted Funds, Account #110-393-48100, sponsored by Todd Nix. Said Resolution follows, to wit:



Councilmember Simmons moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Edwards moved for adoption of the foregoing Resolution. Councilmember Simmons seconded the motion.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
Michelle Eubanks  
Blake Edwards

Noes: None

Abstain: Andrew Betterton

City Clerk, Robert M. Leyde, presented a Resolution to approve the addendum to the contract dated November 16, 2018 between the City of Florence, AL and Rogers Group regarding the 2018 Street resurfacing program, sponsored by Bill Batson. Said Resolution follows, to wit:

Councilmember Eubanks moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Eubanks moved for adoption of the foregoing Resolution. Councilmember Edwards seconded the motion.

**Discussion:**

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

Ayes: Kaytrina Simmons  
William D. Jordan  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for a Special Event with On-Premises Liquor, Beer & Wine, by THE PIE FACTORY OF MUSCLE SHOALS, d/b/a SMOKE ON THE WATER, to take place on Saturday April 27th, 2019 and located at 333 JIM SPAIN DRIVE, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Eubanks moved for adoption of the foregoing Resolution. Councilmember Betterton seconded the motion.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for a Full Menu Restaurant with On-Premises Liquor, Beer & Wine, by ICHIBAN FLORENCE LLC, d/b/a ICHIBAN FLORENCE located at 173 COX CREEK PARKWAY SOUTH, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Simmons moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Eubanks moved for adoption of the foregoing Resolution. Councilmember Betterton seconded the motion.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
Michelle Eubanks  
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	Vacancy	12/19/17	11/20/18
Library Board (Regional)	Vacancy		
Tree Commission	2 - Vacancies		

**Business from the Public (5-minute time limit):** None

**Council Reports and Comments:**

Councilmember Betterton thanked all the students from Florence High School, Mars Hill School and Shoals Christian School for participating in “Youth In Government” day. Councilmember Betterton stated that our City has a great quality of life and that the students need to “think big” and make everyone proud.

Councilmember Simmons welcomed everyone here today. Councilmember Simmons encouraged the students to get involved in your local government. Councilmember Simmons noted that there will be a special-called citizen’s meeting from 6:00 p.m. until 7:00 p.m. on March 26 at the Handy Recreation Center to discuss the West Irvine Avenue traffic concerns.

Councilmember Edwards thanked the students for being here today.

Councilmember Eubanks also welcomed everyone here today. Councilmember Eubanks noted that there is still time to make your feelings known regarding the Rickwood Road widening project. Councilmember Eubanks asked everyone to e-mail her with any questions or concerns regarding this project.

President Jordan also welcomed everyone to today’s meeting.

There being no further business the meeting was adjourned.

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ATTEST:

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CITY CLERK





