



**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
FEBRUARY 6, 2018**

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 6, 2018. President Jordan called the meeting to order. Reverend William Downton 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: Kaytrina Simmons, William D. Jordan, David Bradley, Michelle Eubanks, Blake Edwards and Andrew Betterton.

AMENDED AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

FEBRUARY 6, 2018

5:00 P.M.

-
1. Meeting called to order - President Jordan
 2. Invocation - Reverend William Downton
 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) Proposal to amend the Code of Florence, Alabama, as amended, Appendix C-Zoning, Sec. III, District Regulations; Subsection (F) Chart of Permitted Uses, to add Micro-Distillery allowed by right in the following zones: B-2, B-3, H-1, SD and I-1.
 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 18, 2018, meeting.
 - (b) Confirm payment of bills by the City Treasurer.

- (c) Resolution to approve the contract with Ringers Garage Door Company, Inc., to provide labor, equipment, materials and incidentals necessary to install a garage door at Fire Station #1, in the amount of \$8,514.00, to be expensed to Account #266-42200, sponsored by Jeffrey Perkins.
- (d) Resolution to approve the contract with Shotcrete of America, LLC, to provide labor, equipment, materials and incidentals necessary for the Oak Hill Subdivision Drainage Improvement Project, in the amount of \$179,940.00, to be paid from budgeted Fund 188, Account #1071-48100, sponsored by Bill Batson. **(This item was moved to Regular Agenda Item 12 (d))**
- (e) Resolution to approve the contract with AM Fencing, Inc., to provide labor, equipment, materials and incidentals necessary to repair damaged fencing at Diebert Park, in the amount of \$1,525.00, to be paid from budgeted funds, Account #265-44725, sponsored by Todd Nix.
- (f) Resolution to approve the contract with the Shoals Entrepreneurial Center, Inc., in the amount of \$50,000.00, to be paid from budgeted funds, sponsored by Mayor Holt and the City Council.
- (g) Resolution to approve the contract with the Music Preservation Society, Inc., in the amount of \$15,000.00, to be paid from budgeted funds, sponsored by Mayor Holt and the City Council.
- (h) Resolution to advance and reimburse travel expenses to City employees, sponsored by Mayor Holt.

12. Regular Agenda:

- (a) Ordinance to amend the Code of Florence, Alabama, as amended, Appendix C-Zoning, Sec. III, District Regulations: Subsection (F) Chart of Permitted Uses, to add Micro-Distillery allowed by right in the following zones: B-2, B-3, H-1, SD and I-1, sponsored by Melissa Bailey.
- (b) Resolution to approve the Real Estate Sales Agreement between the City and the Estate of Martha E. Twiss, deceased, through its Administrator, William Casey Glover, to purchase the properties located at 302 and 306 Royal Avenue, sponsored by Bill Musgrove.
- (c) Resolution to approve a contract with White Lynn Collins & Associates to provide civil engineering services for the construction, engineering and inspection services for ALDOT Project # ACAA61359-ATRP streetscape improvements for the proposed roundabout at the intersection of Royal Avenue and Huntsville Road in the amount of \$21,500.00 and 10% of construction agreement amount as set forth in the attached fee schedule, sponsored by Melissa Bailey. **(This item was added)**
- (d) Resolution to approve the contract with Shotcrete of America, LLC, to provide labor, equipment, materials and incidentals necessary for the Oak Hill Subdivision Drainage Improvement Project, in the amount of \$179,940.00, to be paid from budgeted Fund 188, Account #1071-48100, sponsored by Bill Batson. **(This item was moved from Consent Agenda Item 11 (d))**
- (e) Resolution to amend the Code of Florence, Alabama, as amended, Pursuant to Section 3-9, creating a Downtown Florence Entertainment District to be in effect for only one weekend a month, sponsored by Bill Musgrove. **(This item was added to the agenda)**
- (f) Resolution authorizing the City to settle a property damage claim with Gloria Dindorf and an amount not to exceed \$25,000.00, sponsored by Bill Musgrove. **(This item was added to the agenda)**

13. General Business:

- (a) Resolution - Alcohol Beverage License Application for a Special Event called The Florence Wine Fest, with On-Premises Beer & Wine, by CBJA HOLDINGS, d/b/a THE FLORENCE WINE FEST, to take place on Saturday, March 10th, 2018, and located on TUSCALOOSA STREET BETWEEN WOOD AVENUE AND SEMINARY STREET, FLORENCE, AL 35630, sponsored by Robert M. Leyde.

- (b) Resolution - Alcohol License Application for the operation of a Drug Store with Off-Premises Beer & Wine by WALGREEN CO., d/b/a RITE AID 07047, located at 2403 FLORENCE BOULEVARD, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (c) Resolution - Alcohol Beverage License Application for the operation of a Drug Store with Off-Premises Beer & Wine by WALGREEN CO., d/b/a RITE AID 07048, located at 1313 NORTH WOOD AVENUE, FLORENCE, AL 35630, sponsored by Robert M. Leyde.

(d)	<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
	Library Board (Reg)	Vacancy		
	SCOPE 310	Josh Webster	08/21/12	07/21/15

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 Simmons
Council member Bradley
Council member Eubanks
Council member Jordan

16. Motion to Adjourn.

President Jordan noted that it was decided at the earlier work session to move Consent Agenda Item 11 (d) Resolution to approve the contract with Shotcrete of America, LLC, to provide labor, equipment, materials and incidentals necessary for the Oak Hill Subdivision Drainage Improvement Project, in the amount of \$179,940.00, to be paid from budgeted Fund 188, Account #1071-48100, to Regular Agenda Item 12 (d) and to add the following:

Added Regular Agenda Item 12 (c) Resolution to approve a contract with White Lynn Collins & Associates to provide civil engineering services for the construction, engineering and inspection services for ALDOT Project # ACAA61359-ATRP streetscape improvements for the proposed roundabout at the intersection of Royal Avenue and Huntsville Road in the amount of \$21,500.00 and 10% of construction agreement amount as set forth in the attached fee scheduled.

Added Regular Agenda Item 12 (e) Resolution to amend the Code of Florence, Alabama, as amended, Pursuant to Section 3-9, creating a Downtown Florence Entertainment District to be in effect for only one weekend a month.

Added Regular Agenda Item 12 (f) Resolution authorizing the City to settle a property damage claim with Gloria Dindorf and an amount not to exceed \$25,000.00.

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
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Message from the Mayor: None

Report of Department Heads:

Chief Tyler presented "Life Saving" awards to Officer Jordan Risener and Officer Drew Browder for saving a citizen from a burning vehicle.

Report of Standing Committee:

Councilmember Simmons, Chairperson of the Planning Committee, comments follow, to wit:

Public Hearing:

President Jordan noted that this is the day and time advertised for a public hearing regarding the proposal to amend the Code of Florence, Alabama, as amended, Appendix C-Zoning, Sec. III, District Regulations; Subsection (F) Chart of Permitted Uses, to add Micro-Distillery allowed by right in the following zones: B-2, B-3, H-1, SD and I-1.

Melissa Bailey, Planning Director, appeared and stated that the Council had previously voted to allow micro breweries/distilleries in Florence and this ordinance adjusts the chart of permitted uses designating the zones that will allow micro breweries.

Mr. John Shepherd, 1821 Lindsay Street, appeared and made comments in opposition to the proposed zoning amendment for micro distilleries. Mr. Shepherd stated that the City does not need any more alcohol. Mr. Shepherd further stated that increasing alcohol in the City will require more police officers and larger jails.

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and also made comments in favor of the proposed zoning amendment for micro distilleries. Mr. Simpson stated he believes people should have free will to make choices and that the public should rely on law enforcement to keep our streets safe. Mr. Simpson further stated that micro distilleries would be a source of tax revenue for the City.

Ms. Silka Mitchell, 106 Creekwood Drive, appeared and made comments in favor of the proposed zoning amendment for micro distilleries. Ms. Mitchell stated that it could be an economic asset for Florence. Ms. Mitchell further stated that the amendment could be a tourist attraction for Florence.

There being no further comments from the public, President Jordan closed the public hearing.

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

Mr. Benji Wilson, 287 Plantation Springs Drive, appeared and made comments in reference to Regular Agenda Item 12 Resolution to approve a contract with White Lynn Collins & Associates to provide civil engineering services for the construction, engineering and inspection services for ALDOT Project # ACAA61359-ATRP streetscape improvements for the proposed roundabout at the intersection of Royal Avenue and Huntsville Road in the amount of \$21,500.00 and 10% of construction agreement amount as set forth in the attached fee schedule, sponsored by Melissa Bailey. Mr. Wilson stated that he appreciates the hard work that the Mayor and Council do every day. Mr. Wilson further stated that he is a business owner that has a vested interest in the proposed Sweetwater Entertainment District. Mr. Wilson stated that more parking is definitely needed and that the City should look at purchasing the Richards Metals building and use it as parking. Mr. Wilson further stated that he, along with other business owners, is excited about the changes that are happening in East Florence.

Ms. Mary Mitchell, Seasons Restaurant, 1420 Huntsville Road, appeared and expressed her appreciation to the Council for the working that is beginning in East Florence.

Consent Agenda:

President Jordan asked for a motion for approval of the Consent Agenda items. Councilmember Simmons moved for approval of the ordinances and resolutions as follow, to-wit:

Councilmember Bradley 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 an Ordinance to amend the Code of Florence, Alabama, as amended, Appendix C-Zoning, Sec. III, District Regulations: Subsection (F) Chart of Permitted Uses, to add Micro-Distillery allowed by right in the following zones: B-2, B-3, H-1, SD and I-1, sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Bradley moved for immediate consideration of the foregoing Ordinance.

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

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

Noes: None

Councilmember Simmons moved for adoption of the foregoing Ordinance.

Councilmember Betterton seconded the motion.

There being no discussion, a vote taken on the motion 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 approve the Real Estate Sales Agreement between the City and the Estate of Martha E. Twiss, deceased, through its Administrator, William Casey Glover, to purchase the properties located at 302 and 306 Royal Avenue, sponsored by Bill Musgrove.

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
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Simmons moved for adoption of the foregoing Resolution.

Councilmember Betterton seconded the motion.

Discussion:

President Jordan noted that the property is located on the corner of Royal Avenue and Sannoner Avenue and adjoins City property.

There being no further discussion, a vote taken on the motion 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 approve a contract with White Lynn Collins & Associates to provide civil engineering services for the construction, engineering and inspection services for ALDOT Project # ACAA61359-ATRP streetscape improvements for the proposed roundabout at the intersection of Royal Avenue and Huntsville Road in the amount of \$21,500.00 and 10% of construction agreement amount as set forth in the attached fee schedule, sponsored by Melissa Bailey. Said Resolution follows, to wit:

Councilmember Bradley moved for immediate consideration of the foregoing Resolution.

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

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

Noes: None

Councilmember B moved for adoption of the foregoing Resolution.

President Jordan seconded the motion.

Discussion:

Councilmember Bradley made comments in favor of the proposed resolution. Councilmember Bradley stated that Melissa Bailey, Planning Director, and other department heads are on top of this project and this will be a great addition to East Florence.

President Jordan made comments in favor of the proposed resolution. President Jordan stated that this contract is for work on the East Florence streetscape project. President Jordan noted that the budget for the East Florence streetscape should be around \$200,000.00 and that will leave funds for other projects.

There being no further discussion, a vote taken on the motion 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 approve the contract with Shotcrete of America, LLC, to provide labor, equipment, materials and incidentals necessary for the Oak Hill Subdivision Drainage Improvement Project, in the amount of \$179,940.00, to be paid from budgeted Fund 188, Account #1071-48100, sponsored by Bill Batson. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

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

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

Noes: None

Councilmember Betterton moved for adoption of the foregoing Ordinance.

Councilmember Bradley seconded the motion.

Discussion:

Councilmember Betterton expressed his appreciation to Bill Batson, City Engineer, and his staff for their work on this project. Councilmember Betterton stated that this work should solve the ongoing drainage issues that a number of residents in Oak Hills Subdivision have been experiencing.

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

Ayes: Kaytrina Simmons
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Abstain: William D. Jordan

City Clerk, Robert M. Leyde, presented a Resolution to amend the Code of Florence, Alabama, as amended, Pursuant to Section 3-9, creating a Downtown Florence Entertainment District, sponsored by Bill Musgrove. Said Resolution follows, to wit:

Councilmember Betterton 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
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Simmons moved for adoption of the foregoing Resolution.

Councilmember Betterton seconded the motion.

Discussion:

Councilmember Edwards made comments in opposition to the proposed resolution.

Councilmember Edwards stated that there is no need for an Entertainment District in Florence.

Councilmember Edwards further stated that there are restaurants in downtown that has outdoor seating and that no one needs to walk around with an alcoholic beverage in their hand. Councilmember Edwards stated that he cannot support this resolution.

Councilmember Betterton made comments in support of the proposed resolution. Councilmember Betterton stated that if there are problems the Council as well as Chief Tyler can stop this at anytime.

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

Ayes: Kaytrina Simmons
William D. Jordan
David Bradley
Andrew Betterton

Noes: Blake Edwards

Abstain: Michelle Eubanks

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to settle a property damage claim with Gloria Dindorf and an amount not to exceed \$25,000.00, sponsored by Bill Musgrove.

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
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Simmons 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
David Bradley
Michelle Eubanks
Blake Edwards
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution - Alcohol Beverage License Application for a Special Event called The Florence Wine Fest, with On-Premises Beer & Wine, by CBJA HOLDINGS, d/b/a THE FLORENCE WINE FEST, to take place on Saturday, March 10th, 2018, and located on TUSCALOOSA STREET BETWEEN WOOD AVENUE AND SEMINARY STREET, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Eubanks moved for immediate consideration of the foregoing Ordinance.

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

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

Noes: None

Councilmember Betterton moved for adoption of the foregoing Ordinance.

Councilmember Eubanks seconded the motion.

There being no discussion, a vote taken on the motion 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 - Alcohol License Application for the operation of a Drug Store with Off-Premises Beer & Wine by WALGREEN CO., d/b/a RITE AID 07047, located at 2403 FLORENCE BOULEVARD, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Eubanks moved for immediate consideration of the foregoing Ordinance.

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

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

Noes: None

Councilmember Betterton moved for adoption of the foregoing Ordinance.

Councilmember Eubanks seconded the motion.

There being no discussion, a vote taken on the motion 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 - Alcohol Beverage License Application for the operation of a Drug Store with Off-Premises Beer & Wine by WALGREEN CO., d/b/a RITE AID 07048, located at 1313 NORTH WOOD AVENUE, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Eubanks moved for immediate consideration of the foregoing Ordinance.

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

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

Noes: None

Councilmember Bradley moved for adoption of the foregoing Ordinance.

Councilmember Simmons seconded the motion.

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

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

Noes: None

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Library Board (Reg)	Vacancy		
SCOPE 310	Josh Webster	08/21/12	07/21/15

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

Mr. Jones Colcock, 518 Riverview Drive, appeared and made comments regarding the East Florence streetscape project. Mr. Colcock asked the Council to clarify the East Florence streetscape versus East Florence Roundabout project during their comment portion of the Council meeting. Mr. Colcock stated that no one has presented the public with the official drawings of the East Florence streetscape project. Mr. Colcock further stated that he has spoken to ALDOT and was told that the roundabout project is estimated to cost one million dollars with the State paying \$800,000.00 and the City paying \$200,000.00 for the project. Mr. Colcock stated that funds have been transferred from the East Florence streetscape project into other projects. Mr. Colcock asked again to see the official drawings of the East Florence streetscape project.

Mr. Sam Pendleton, former City Councilperson, 1934 Maple Avenue, appeared and made comments regarding numerous areas that need to be addressed. Mr. Pendleton stated that Councilmember Simmons needs to have West Irvine Avenue washed down due to mud from the construction site. Mr. Pendleton further stated that Councilmember Bradley needs to get more sport utility vehicles for the Police Department and there should be no police cars parked at the Police Department. Mr. Pendleton stated that officers should be allowed to drive their cars to the grocery stores and other places.

Mr. Pendleton made comments regarding the hotel industry and the Florence/Lauderdale Tourism Board. Mr. Pendleton stated that there should be a member of the hotel industry on the Tourism Board.

Mr. Pendleton stated that North Florence needs more street lighting, especially along Chisholm Road. Mr. Pendleton further stated that the Council needs to listen to Benji Wilson because he has invested a lot in the City and he knows what he is talking about.

Council Reports and Comments:

Councilmember Bradley thanked everyone for their attendance tonight. Councilmember Bradley also thanked the Police Officers that were honored tonight. Councilmember Bradley stated that he agrees with Mr. Pendleton's comments regarding the Police Department and also representation of the hotel industry on the Tourism Board.

Councilmember Bradley thanked Mr. Benji Wilson for his comments regarding the Sweetwater District. Councilmember Bradley noted that the roundabout project and the East Florence streetscape project are two separate projects and that the contract approved tonight will produce drawings for the streetscape project. Councilmember Bradley stated that parking will be a main focus for businesses near the roundabout during construction.

Councilmember Edwards also thanked the Police Officers that were honored tonight and for the officers' presence at Florence High School during a recent threat. Councilmember Edwards stated that he would like to see the River Heritage Trail project and Veterans Park project moving forward.

Councilmember Betterton also thanked the Police Officers that were honored tonight and he also applauded the Department Heads for their work.

Councilmember Simmons thanked Mr. Benji Wilson and Mr. Sam Pendleton for their comments tonight. Councilmember Simmons stated that she loves Florence and District 1 and that she is still committed to the citizens.

Councilmember Eubanks comments, follow to wit:

President Jordan thanked everyone for coming tonight.

Councilmember Edwards presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK