



**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
AUGUST 21, 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, August 21, 2018. 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: Kaytrina Simmons, William D. Jordan, David Bradley, Michelle Eubanks, Blake Edwards and Andrew Betterton.

AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

August 21, 2018

5:00 P. M.

-
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:
 - (a) Property located at 1407 Martin Street to be rezoned from R-2 (Single-Family Residential District) to B-1 (Neighborhood Business District with Conditions), as requested by Jorge Martinez.
 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 August 7, 2018, meeting.
 - (b) Confirm payment of bills by the City Treasurer.

- (c) Resolution to approve the contract with T. J. Construction, Inc., to provide labor, equipment, and incidentals necessary to bore the road at the intersection of County Road 27 and Parkwood Street for the extension of 1,250 feet of water line needed at said location, in the amount of \$4,750.00, to be paid by the developer, sponsored by Mike Doyle.
- (d) Resolution to approve the contract with Hydro Service, Inc., to provide onsite emergency bypass pumping for eleven (11) wastewater lift stations, in an amount not to exceed prices listed in Quote Number 072318-CH, sponsored by Mike Doyle.
- (e) Resolution to approve the contract with Oakley Biomass, Inc., to provide labor, equipment, materials, and incidentals necessary for wood waste grinding of log and brush debris, in the unit cost of \$550.00 per hour, to be paid from budgeted funds, Account #593-2 Maintenance of Overhead Lines, sponsored by Richard Morrissey.
- (f) Resolution to approve the contract with C & H Cooling & Heating, Inc., to provide labor, equipment, materials and incidentals necessary to replace condenser fan motor in the City Hall Building, in the amount of \$1,137.98, to be paid from budgeted funds, Account #266-41810, sponsored by Gary Williamson.
- (g) Resolution to approve the Agreement with Civil Group, LLC, to provide construction engineering and inspection services for ALDOT Project No. STPOA-UR (601), Mall Road and Hough Road Rehabilitation and Intersection Improvements, in an amount not to exceed \$298,890.00, to be paid from Fund 188, Account #954-48144 and reimbursed from the State, sponsored by Bill Batson.
- (h) Resolution to approve Supplemental Agreement Number 1 amending the Construction Agreement dated January 26, 2017, Project No. IAR-039-000-004, Project Reference No. 100066529, Industrial Access Road Improvements on South Court Street and Water Street to benefit Alabama Farmers Cooperative, between the City and the State of Alabama, sponsored by Bill Batson.
- (i) Resolution to approve an Agreement with Panamerican Consultants, Inc., to provide Phase I Road Improvements on South Court Street and Water Street, in the amount of \$2,500.00, to be paid from budgeted funds, Account #398-43110, sponsored by Bill Batson.
- (j) Resolution to approve the State of Alabama Home Energy Supplier Agreement Low Income Home Energy Assistance Program (LIHEAP) between the City of Florence and ADECA, sponsored by Sandie Freedom.
- (k) Resolution to appropriate \$10,000.00 from the City's Workers' Compensation Fund to settle a Workers' Compensation claim filed against the City by Danny Singleton, sponsored by Keith Owsley.
- (l) Resolution to appropriate \$20,000.00 from the City's Workers' Compensation Fund to settle a Workers' Compensation claim filed against the City by Paul Fuller, sponsored by Keith Owsley.
- (m) Resolution to approve a contract with General Sign Company, Inc., to provide labor, equipment, materials, and incidentals necessary to refurbish existing directional signage, in an amount not to exceed \$22,721.28, to be paid from budgeted funds, sponsored by Melissa Bailey.

12. Regular Agenda:

- (a) Ordinance to amend Section 13-69, One-way streets enumerated; direction of travel, of the Code of Florence, Alabama, as amended, sponsored by Bill Batson.
- (b) Ordinance to repeal and replace the fee schedule for Blackberry Trail Golf Course, sponsored by Todd Nix.
- (c) Ordinance to approve a Lease Agreement with Tyler Ross d/b/a Wildwood Tavern, located at 108 and 110 East Mobile Street, for a term of three (3) years, in the amount of \$100.00 per year, sponsored by Bill Musgrove.
- (d) Ordinance to approve a Lease Agreement with John Cartwright d/b/a Rivertown Coffee, located at 117 North Seminary Street, for a term of three (3) years, in the amount of \$100.00 per year, sponsored by Bill Musgrove.

- (e) Ordinance to rezone property located at 1407 Martin Street from R-2 (Single-Family Residential District) to B-1 (Neighborhood Business District with Conditions), as requested by Jorge Martinez.
- (f) Resolution to approve the Rate Change Amendment between the City and the Tennessee Valley Authority, sponsored by Richard Morrissey.
- (g) Resolution to approve the construction of an extended service area by Wildwood Tavern that includes a portion of the sidewalk area of the East Mobile Street right-of-way, sponsored by Bill Musgrove.
- (h) Resolution to approve the construction of an extended service area by Rivertown Coffee that includes a portion of the sidewalk area of the North Seminary Street right-of-way, sponsored by Bill Musgrove.

13. General Business:

- (a) Resolution to approve the operating budget of the Electricity Department for the fiscal year ending June 30, 2019, sponsored by Mayor Holt, Vance Young, Mark Lovejoy and Richard Morrissey.
- (b) Resolution – Alcohol Beverage License Application for the operation of a Full Menu Restaurant with On-Premises Liquor, Beer & Wine by JEANABETH MARTINEZ., d/b/a EL POLLITO LOCO THE CRAZY LITTLE CHICKEN, located at 1403 CHISHOLM ROAD, 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>
SEDA	Bud Ward	12/04/12	09/30/18
	Brad Haddock	12/04/12	09/30/18
Tourism Board	David Abramson	08/17/10	10/29/18
	David Muhlendorf	09/16/14	10/29/18

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

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

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

16. Motion to Adjourn.

President Jordan asked for a motion for approval of the agenda. Councilmember Betterton moved for approval of the 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:

Mayor Holt's comments follow, to wit:

Report of Department Heads: none

Report of Standing Committee: none

Public Hearing:

President Jordan noted that this is the day and time advertised for a public hearing regarding the proposed rezoning of property located at 1407 Martin Street to be rezoned from R-2 (Single-Family Residential District) to B-1/CO (Neighborhood Business District with Conditions) as requested by Jorge Martinez.

Melissa Bailey, Planning Director, appeared and stated that the Planning Commission voted unanimously to recommend the proposed rezoning to the Council. Ms. Bailey further stated that Mr. Martinez is aware that he must follow parking lot and landscape regulations for this property.

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

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

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments regarding Regular Agenda Item 12 (f) Resolution to approve the Rate Change Amendment between the City and the Tennessee Valley Authority, sponsored by Richard Morrissey.

Mr. Simpson stated that he believes that Mr. Morrissey discriminates and until he sees proof that he doesn't, he will always be against items sponsored by him.

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 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

City Clerk, Robert M. Leyde, presented an Ordinance to amend Section 13-69, One-way streets enumerated; direction of travel, of the Code of Florence, Alabama, as amended, sponsored by Bill Batson. Said Ordinance follows, to wit:

Councilmember Simmons moved for immediate consideration of the foregoing Ordinance.

Councilmember Edwards 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 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

City Clerk, Robert M. Leyde, presented an Ordinance to repeal and replace the fee schedule for Blackberry Trail Golf Course, sponsored by Todd Nix. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

Councilmember Edwards 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 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 an Ordinance to approve a Lease Agreement with Tyler Ross d/b/a Wildwood Tavern, located at 108 and 110 East Mobile Street, for a term of three (3) years, in the amount of \$100.00 per year, sponsored by Bill Musgrove. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

President Jordan 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 Eubanks 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

City Clerk, Robert M. Leyde, Ordinance to approve a Lease Agreement with John Cartwright d/b/a Rivertown Coffee, located at 117 North Seminary Street, for a term of three (3) years, in the amount of \$100.00 per year, sponsored by Bill Musgrove. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

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 Eubanks 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 an Ordinance to rezone property located at 1407 Martin Street from R-2 (Single-Family Residential District) to B-1 (Neighborhood Business District with Conditions), as requested by Jorge Martinez. Said Ordinance follows, to wit:

Councilmember Eubanks moved for immediate consideration of the foregoing Ordinance.

Councilmember Edwards 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 Edwards 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, Resolution to approve the Rate Change Amendment between the City and the Tennessee Valley Authority, sponsored by Richard Morrissey. Said Ordinance follows, to wit:

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

Discussion:

Councilmember Edwards made comments in support of the proposed ordinance. Councilmember Edwards stated that there has been no increase in ten years and that the Electricity Department has reached into their reserves for several years. Councilmember Edwards further stated that TVA has a limit as to the amount of reserves that you can pull from. Councilmember Edwards stated that at some point action has to be taken and the time is now. Councilmember Edwards further stated that the Council's backs are against the wall and to continue to maintain service, we must approve the increase.

Councilmember Eubanks made comments in support of the proposed ordinance. Councilmember Eubanks stated that this is a matter of safety and efficiency. Councilmember Eubanks further stated that we need to make sure the employees have the proper equipment to perform their jobs safely.

President Jordan made comments in support of the proposed ordinance. President Jordan stated that the increase will meet the needs of the operating budget.

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

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

Noes: Kaytrina Simmons
David Bradley

City Clerk, Robert M. Leyde, presented a Resolution to approve the construction of an extended service area by Wildwood Tavern that includes a portion of the sidewalk area of the East Mobile Street right-of-way, sponsored by Bill Musgrove. Said Resolution follows, to wit:

Councilmember Edwards 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 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 to approve the construction of an extended service area by Rivertown Coffee that includes a portion of the sidewalk area of the North Seminary Street right-of-way, sponsored by Bill Musgrove. Said Resolution follows, to wit:

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

Discussion:

President Jordan noted that a lease and a resolution are required to extend the restaurant's service area.

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 operating budget of the Electricity Department for the fiscal year ending June 30, 2019, sponsored by Mayor Holt, Vance Young, Mark Lovejoy and Richard Morrissey. Said Resolution follows, to wit:

Councilmember Edwards 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 Edwards moved for adoption of the foregoing Resolution.

Councilmember Eubanks seconded the motion.

Discussion:

President Jordan made comments regarding AMI systems. President Jordan stated that he does not believe the benefits will outweigh the cost of the system. President Jordan further stated that the implementation of the AMI system will need Council approval.

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 – Alcohol Beverage License Application for the operation of a Full Menu Restaurant with On-Premises Liquor, Beer & Wine by JEANABETH MARTINEZ., d/b/a EL POLLITO LOCO THE CRAZY LITTLE CHICKEN, located at 1403 CHISHOLM ROAD, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Eubanks 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 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
David Bradley
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>
SEDA	Bud Ward	12/04/12	09/30/18
	Brad Haddock	12/04/12	09/30/18
Tourism Board	David Abramson	08/17/10	10/29/18
	David Muhlendorf	09/16/14	10/29/18

President Jordan noted that the Council is currently accepting applications for positions on the SEDA Board as well as the Tourism Board. President Jordan further noted that nominations will be made at the September 18 Council meeting.

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

Ms. Tiana Letson, 2921 Alexander Street, appeared and stated that there will be a dunking booth at “First Friday” on September 7, 2018 and the proceeds will benefit Chloe’s Fund. Ms. Letson further stated that Chloe’s Fund raises money to assist with medical needs for Florence Shelter animals. Ms. Letson asked for volunteers for the dunking booth.

Ms. Eva Knight, 2810 Waldrige Street, appeared and made comments regarding the Senior Center. Ms. Knight thanked Mayor Holt and Council for moving forward with new signage at the Senior Center. Ms. Knight stated that she had submitted a list of projects at the February 5, 2018 Council meeting that would improve the appearance of the Senior Center. Ms. Knight further stated that the Seniors are attempting to bring about those changes by taking donations for plants that will be planted in front of the Senior Center to honor loved ones.

Mr. Bill Smoak, 2424 Roberts Lane, appeared and made comments regarding salary increases for the Fire and Police Departments. Mr. Smoak stated that on February 20, 2018 a contract with Public Affairs Research Council of Alabama (PARCA) was added to the agenda. Mr. Smoak further stated that the purpose of the contract was to investigate salaries of other cities’ firemen and police officers. Mr. Smoak stated that since this contract was added to the agenda at the time of the meeting, citizens were unable to view the contract on the City’s website. Mr. Smoak asked if Mayor Holt had received the results. Mr. Smoak noted that this Council has taken no action to increase salaries.

Mr. Norman Allen, 1025 Pruitt Street, appeared and made comments regarding drug dealers in West Florence. Mr. Allen stated that the Compak Store located on Cedar Street is known to be a hang out for drug dealers. Mr. Allen stated that there are drug dealers all over West Florence and the citizens in that area need help.

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments regarding discrimination. Mr. Simpson stated that certain Department Heads with the City of Florence discriminates against blacks. Mr. Simpson further stated that he would like to know how many minorities are employed with the City of Florence. Mr. Simpson stated that he would like to see proof that discrimination does not exist within the City. Mr. Simpson further stated that Florence Police Officers must protect the black people as well as white people.

Council Reports and Comments:

Councilmember Bradley thanked everyone who spoke tonight. Councilmember Bradley stated that most of the voters in his district were against the electricity rate increase.

Councilmember Bradley made comments regarding the Fire and Police Departments. Councilmember Bradley stated that he agrees that firemen and police officers’ salaries should be increased. Councilmember Bradley further stated that he has not seen the PARCA report but he is looking forward to reading it as soon as it is completed.

Councilmember Eubanks thanked Chief Ron Tyler and Detective Michael South for their work in managing an ongoing situation in District 4. Councilmember Eubanks stated that she has received a number of complements from residents about the situation being handled in a timely and safe way. Councilmember Eubanks further stated that work is being done to clean up the area around Edgemont Pocket Park. Councilmember Eubanks congratulated Ben Maharrey on his new role as Purchasing Agent. Councilmember Edwards welcomed back all of the UNA students who are arriving for the start of the semester.

Councilmember Edwards had no comments.

Councilmember Betterton stated that the Council did not do away with Comcast nor got rid of Robert Palmer.

Councilmember Simmons noted that the Bellamy Complex recently held its grand opening on August 15 and students have moved in. Councilmember Simmons further noted that she voted against the electricity raise per her constituents. Councilmember Simmons thanked the Electricity employees for their hard work.

President Jordan made comments in support of the electricity rate increase. President Jordan noted that due diligence was done in the electrical rate increase. President Jordan further noted that there needs to be a thorough study done on the proposed A. M. R. system.

Mayor Holt had no comments.

Councilmember Betterton presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK

City of Florence, AL
Minutes of City Council
August 21, 2018