

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
January 6, 2009**

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, January 6, 2009. President Barnhart 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 all six Councilmembers were present and a quorum was present with the following members of the City Council in attendance: Sam Pendleton, Jr., William D. Jordan, Hermon T. Graham, Barry Morris, James H. Barnhart and Andrew Betterton.

AMENDED AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

JANUARY 6, 2009

5:00 P. M.

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1. Meeting called to order - President Barnhart
 2. Invocation - Councilmember Graham
 3. Pledge of Allegiance
 4. Roll Call - President Barnhart
 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 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 760-6400 for questions on Consent Agenda items prior to the Council meeting.

Approval of minutes of the Regular Meeting held on December 16, 2008.

Confirm payment of bills by the City Treasurer.

Resolution authorizing the City to enter into a contract with Irons Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary for maintenance service to the beacon lights at the Florence Harbor, in the amount of \$6,260.00 to be paid from budgeted funds, sponsored by Todd Nix.

Resolution authorizing the City to enter into a contract with Chandler Painting Company, Inc., to provide labor, equipment, materials and incidentals necessary to paint interior walls, ceiling and trim in the Southall-Moore House, in the amount of \$4,500.00 to be paid from budgeted funds, sponsored by Todd Nix.

Resolution authorizing the City to enter into an agreement with Tennessee Valley Authority (TVA) to extend its Generation Partners Pilot Program, sponsored by Richard Morrissey.

Resolution authorizing the City to enter into an agreement with A T & T to provide telephone service for the City of Florence to be paid from budgeted funds, sponsored by Dan Barger.

Resolution authorizing the City to approve a no-match grant award in the amount of \$4,500.00 from the Alabama State Council on the Arts for funds to assist in the production of a W. C. Handy Documentary film, sponsored by Todd Nix. **(This item was removed)**

(a) Resolution authorizing the City to make application to the State of Alabama, through the Alabama Department of Economic and Community Affairs Law Enforcement Planning, under the Omnibus Crime Control and Safe Streets Act of 1968 (P.O. 90-351 as amended) and other appropriate federal authorizations for financial aid to combat rising crime, improve the criminal justice system, assist victims of crime and assist in the problems of juvenile justice. This is a 50/50 grant with four participating agencies supplying 50% matching funds and ADECA 50%. The City's part will be 1/4 of the 50%, to be paid from budgeted funds, sponsored by Rick Singleton.

Resolution appointing Bill Burke to the Florence Parks and Recreation Board, sponsored by the City Council.

Resolution appointing James E. Nash to the Lauderdale County Regional Library Board, sponsored by the City Council.

12. Regular Agenda:

(a) Ordinance to annex approximately 41.07 acres known as Cypress Creek Manor Subdivision as requested by its developers and property owners, sponsored by Melissa Bailey.

13. General Business:

(a) Resolution authorizing the City to approve the revised and amended 1995 One Cent Sales Tax Capital Fund Fiscal Year 2008-2009 Budget adopted on October 7, 2008, sponsored by Dan Barger. **(This item was removed)**

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

Board

	<u>Memb</u>
<u>er</u>	<u>Appoin</u>
<u>ted</u>	<u>Expire</u>

Agri-Business

	John
Hicks	02/01/
	05
	11/15/
	08

Port Authority Vacant

Tree Commission Vacant

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

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

Councilmember Morris
Councilmember Betterton
Councilmember Pendleton
Councilmember Jordan
Councilmember Graham
Councilmember Barnhart

16. Motion to Adjourn.

President Barnhart noted that the City Council decided at its earlier work session to remove Consent Agenda item 11(g) Resolution authorizing the City to approve a no-match grant award in the amount of \$4,500.00 from the Alabama State Council on the Arts for funds to assist in the production of a W. C. Handy Documentary film, sponsored by Todd Nix and Regular Agenda item 13 (a) Resolution authorizing the City to approve the revised and amended 1995 One Cent Sales Tax Capital Fund Fiscal Year 2008-2009 Budget adopted on October 7, 2008, sponsored by Dan Barger.

Councilmember Morris made a motion for approval of the amended agenda. Councilmember Betterton seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

Ayes:	Sam Pendleton, Jr. Herman T. Graham William D. Jordan Barry Morris James H. Barnhart Andrew Betterton
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Noes:	None
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Message from the Mayor:

Mayor Irons introduced Jimmy Oliver of Big River Broadcasting which is sponsoring Sam Phillips Week which began on January 5, 2009. Mr. Oliver reviewed several events which will take place in conjunction with Sam Phillips Week. Mayor Irons presented a Proclamation designating the week of January 5, 2009, as Sam Phillips Week in the City of Florence. This Proclamation was received by Jerry Phillips, son of Sam Phillips.

Mayor Irons read a Proclamation stating that on behalf of the Mayor and City Council of the City of Florence, Alabama, they would like to extend their deepest appreciation to Congressman Robert E. "Bud" Cramer for his great service. Mayor Irons also expressed deep gratitude to Mr. Cramer's staff for their tremendous help and support. Mr. Cramer was unable to attend.

Mayor Irons gave an up-date on the economic condition. Said comments follows, to wit:

Reports of Department Heads:

Richard Morrissey, Electricity Department Manager, gave an explanation of TVA's "Fuel Cost Adjustment" (FCA) that appears on customer's utility bills. Mr. Morrissey stated that this adjustment is a mechanism that TVA uses to help recover uncontrollable fuel and purchased power cost. Mr. Morrissey noted that a number of factors effect the cost such as weather and global supply and demand issues. Mr. Morrissey stated that changes in the Utility Department's accounting procedures in 2008 required them to show the FCA as a separate line item on customer's utility bills. Mr. Morrissey noted that prior to 2008, FCA was shown in the base rate on customer's bills. Mr. Morrissey also noted that 100% of the FCA collected by Florence goes to TVA. Mr. Morrissey stated that if customers had any questions to please call Utilities Customer Service at 760-6512 or TVA at 1-888-289-8409.

Reports of Standing Committees: None

Public Hearings: None

Business from the Floor Pertaining to Items on the Consent or Regular Agenda: None

Consent Agenda:

President Barnhart asked for a motion for approval of the Consent Agenda items. Councilmember Morris moved for approval of (a) Approval of minutes of the Regular Meeting on December 16, 2008 and (b) Confirmation of payment of bills by the City Treasurer; and 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: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H Barnhart
Andrew Betterton

Noes: None

Regular Agenda:

City Clerk, Robert M. Leyde, presented an Ordinance to annex approximately 41.07 acres known as Cypress Creek Manor Subdivision as requested by its developers and property owners, sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing ordinance.

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

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H Barnhart
Andrew Betterton

Noes: None

Councilmember Jordan moved for adoption of the foregoing ordinance. Councilmember Pendleton seconded the motion.

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

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H Barnhart
Andrew Betterton

Noes: None

Board Openings:

President Barnhart noted that the City Council at it's earlier work session nominated Mr. Dick Smith to the Port Authority Board. President Barnhart stated that this nomination will appear on the agenda at the next City Council meeting. President Barnhart then read the following Board openings which will occur within the next 90 days:

Board

Member
Appointed
Expire

Agri-Business

Hicks John
02/01/05
11/15/08

Port Authority

Vacant

Tree Commission

Vacant

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

John Crowder, 421 Nottingham Road, made comments concerning scam products that are on the market today. Mr. Crowder noted that the Amish Heaters that are advertised to heat entire homes for the same cost as using a hair dryer or a toaster is not true.

Dr. Kendy Behrends, Superintendent of Florence City Schools, made comments concerning the new economic development project, Drop-out Prevention Program. Dr. Behrends stated that this project is a joint effort with Southwire to allow students to work at their facility for school credit and to receive pay as long as the students remain in school.

Dr. Behrends made comments regarding the Florence City Schools budget. Dr. Behrends stated that when the Rainy Day Fund money is depleted, it will bring the budget down to 6% proration. Dr. Behrends stated that this means the money we had budgeted for this year will be cut by 1.4 million dollars. Dr. Behrends also stated that in addition to the 1.4 million dollar cut, there could be additional 1.4 to 1.6 million dollar cut in 2010. Dr. Behrends expressed concern that with these cuts, the school system will be forced to dip into our reserves. Dr. Behrends thanked the City Council for their financial support and encouraged the Council to continue with their support.

Council Reports and/or Comments:

Councilmember Morris thanked Mayor Irons for informing the City Council of reduced expenditures. Councilmember Morris also thanked Southwire for their project concerning at risk students.

Councilmember Betterton thanked Dr. Behrends for her attendance. Councilmember Betterton also thanked Southwire for their support of our school system. Councilmember Betterton thanked Carl Bailey of Coffee Heath Group for his presentation at today's work session concerning health care in our area. Councilmember Betterton thanked all the Department Heads and City Employees for their support and information. Councilmember Betterton encouraged citizens to make application for vacant Board appointments.

Councilmember Pendleton thanked Dr. Behrends for doing an outstanding job as Florence City School Superintendent. Councilmember Pendleton thanked Mr. Crowder for his comments concerning scam products.

Councilmember Pendleton recognized Ms. Vicky Kirkman who was recently appointed as the Florence City School Board Chairperson. Councilmember Pendleton also recognized Ms. Liz Scott for her hard work on the Sam Phillips postage stamp. Councilmember Pendleton made comments concerning the positive impact that Sam Phillips had in our city.

Councilmember Pendleton discussed with President Barnhart the possibility of a Public Safety Committee meeting. Councilmember Pendleton stated that he hoped a meeting could be scheduled at the end of this month.

Councilmember Pendleton made comments concerning the automobile bail-out. Councilmember Pendleton stated that the South does not need to lower its standards.

Councilmember Jordan thanked Mr. Crowder for his comments. Councilmember Jordan also thanked Dr. Behrends and Southwire for their joint effort in the Drop-Out Prevention Program.

Councilmember Jordan also thanked Dr. Behrends and the past and present Florence School Board for controlling spending.

Councilmember Graham thanked Mayor Irons for the economic up-date. Councilmember Graham made positive comments concerning Southwire and the Drop-Out Prevention Program.

Councilmember Graham congratulated the Sam Phillips' family. Councilmember Graham also thanked Bud Cramer for his outstanding service to the Shoals area.

Councilmember Graham invited everyone to attend the community meeting for District 3, Thursday, January 29th at 6:00 p.m. at Broadway Recreation Center.

President Barnhart had no comments.

Councilmember Morris moved for a motion to adjourn the meeting. Councilmember Betterton seconded the motion. A vote taken thereon resulted as follows:

Ayes: Sam Pendleton, Jr.
Hermon T. Graham
William D. Jordan
Barry Morris
James H Barnhart
Andrew Betterton

Noes: None

President Barnhart presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK