

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
February 3, 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, February 3, 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.

AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

February 3, 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 January 20, 2009.

Confirm payment of bills by the City Treasurer.

Resolution authorizing the City to enter into a contract with Ringer's Garage Door Company, Inc., to provide labor, equipment, materials and incidentals necessary to replace two overhead shop doors at the Street Department, in the amount of \$3,000.00, to be paid from budgeted funds, sponsored by David Koonce.

Resolution authorizing the City to enter into a contract with Oakland Metal Buildings, Inc., to provide labor, equipment, materials and incidentals necessary to re-roof the Office/Shop Building at the Street Department, in the amount of \$23,924.00, to be paid from budgeted funds, sponsored by David Koonce.

Resolution authorizing the City to enter into an Engineering Agreement with Garver

Engineers, L.L.C., to provide professional services relative to traffic signal plans review and update for the Hough Road/Seville Street intersection and the Hough Road/Sydney Street/Wal-Mart intersection, in an amount not to exceed \$5,080.00, to be paid from budgeted funds, sponsored by Bill Batson.

Resolution authorizing the City to enter into a Subordination Agreement among the City of Florence, Troy Bank & Trust, Alabama Housing Finance Authority and Tanner Estates, L.L.C., sponsored by Phil Stevenson.

Resolution to approve a Special Deferred Emergency Repair Loan to Marilyn McClure in the amount of \$7,300.00 for emergency repairs to her property located at 1307 Park Street, sponsored by Phil Stevenson.

Resolution to appoint David B. Beasley to the Florence-Lauderdale County Agri-Business Center and Farmers Market Board, sponsored by the City Council.

Resolution to appoint Kelly LaBiche to the Florence Beautification Board, sponsored by the City Council.

Resolution to appoint Preston Hillis to the Florence Tree Commission, sponsored by the City Council.

Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Resolution to appoint William D. Jordan as a director of The Public Park Authority of the Shoals for a term of office beginning on the date of this Resolution and ending six years from the date of this Resolution or on such date as the successor thereof is elected and qualified in his stead, sponsored by the City Council.

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 RESOLUTION DID NOT RECEIVE A UNANIMOUS VOTE FOR IMMEDIATE CONSIDERATION AT THE 01/20/09 COUNCIL MEETING. A VOTE FOR ADOPTION IS ALL THAT IS NEEDED AT THIS TIME.)**

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

Board

Member
Appointed
Expire

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

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

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

16. Motion to Adjourn.

President Barnhart 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:	Sam Pendleton, Jr. Herman T. Graham William D. Jordan Barry Morris James H. Barnhart Andrew Betterton
Noes:	None

Message from the Mayor:

Mayor Irons introduced Mr. Jerome Gafford, President of the Florence High School Band Boosters. Mr. Gafford asked the Florence City Council to present a Proclamation to the Lord Mayor of Westminster when he visits on Wednesday, February 25, 2009 to formally invite the Florence High School Band to perform in the New Year's Day Parade in London, England in 2010. Mr. Gafford noted that the Florence High School band programs, under the leadership of Director of Bands, John Bradley and Assistant Directors, Matt Lentz and Deborah Basinger, are proud to be selected to perform in the London parade with more than 10,000 other entertainers. Mr. Gafford stated that in conjunction with the parade, the Lord Mayor of Westminster and Mr. Robert C. Bone Esq., Executive Director of the Parade Company, are making the visit to the school to present the invitation. Mr. Gafford also stated that all local, county, and state officials have been invited to attend this ceremony.

Mayor Irons asked Florence Police Chief Rick Singleton to come forward and present Life-Saving medals to the officers who in the line of duty prevented citizens from taking their own life. Chief Singleton presented medals to the following officers: Sgt. Chris Ticer, Officer Hal Howard, Officer Justin Wright, and Officer Luke McIntyre.

Mayor Irons made comments concerning our current economic conditions. Mayor Irons stated that we had a short fall of approximately \$125,000.00 in sales tax revenue for the fourth quarter of 2008. Mayor Irons also stated that by implementing cost saving measures, the City generated a reduction in spending for the fourth quarter in the amount of \$150,000.00. Mayor Irons stated that this reduction in spending offset the reduction in sales tax revenue. Mayor Irons noted that we are concerned about the national economic situation and how it will eventually affect our City.

Mayor Irons stated that we will continue to monitor all operations to make sure that we are spending only what is necessary for the City's operations at a reasonable and safe level. Mayor Irons also stated that we will continue to place a great importance on maintaining financial soundness for the difficult months ahead.

Reports of Department Heads: None

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 Jordan moved for approval of (a) Approval of minutes of the Regular Meeting on January 20, 2009 and (b) Confirmation of payment of bills by the City Treasurer; and The ordinances and resolutions as follow, to-wit:

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Councilmember Betterton 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 a Resolution to appoint William D. Jordan as a director of The Public Park Authority of the Shoals for a term of office beginning on the date of this Resolution and ending six years from the date of this Resolution or on such date as the successor thereof is elected and qualified in his stead, sponsored by the City Council. Said resolution follows, to wit:

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Councilmember Morris moved for immediate consideration of the foregoing resolution.

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

Noes: None

City Clerk, Robert M. Leyde, presented 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 RESOLUTION DID NOT RECEIVE A UNANIMOUS VOTE FOR IMMEDIATE CONSIDERATION AT THE 01/20/09 COUNCIL MEETING. A VOTE FOR ADOPTION IS ALL THAT IS NEEDED AT THIS TIME.)**
Said resolution follows, to wit:

Councilmember Jordan made a motion to postpone the resolution until the next City Council meeting on February 17th. Councilmember Betterton seconded the motion.

Discussion:

Councilmember Pendleton discussed the legality of Councilmember Jordan making a motion to postpone. Councilmember Pendleton stated that the City Council needs to approve or disapprove the resolution tonight. After a general discussion among City Councilmembers, President Barnhart made a ruling to vote for a postponement. Councilmember Pendleton requested a vote to decide who was in favor of going forward with the motion to postpone the resolution until the Finance Committee meets. A vote taken thereon resulted as follows:

Ayes: William D. Jordan
Barry Morris
James H Barnhart
Andrew Betterton

Noes: Sam Pendleton, Jr.
Hermon T. Graham

A vote was then taken on the motion to postpone the resolution until the next City Council meeting on February 17, 2009. A vote taken thereon resulted as follows:

Ayes: William D. Jordan
Barry Morris
James H Barnhart
Andrew Betterton

Noes: Sam Pendleton, Jr.
Hermon T. Graham

Board Openings: None

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

John Hargett, 1406 North Wood Avenue, made general comments concerning national politics.

Council Reports and/or Comments:

Councilmember Pendleton congratulated the Florence Police Officers who received life saving medals. Councilmember Pendleton expressed his appreciation to the members of the Florence Police Department for putting their lives at risk.

Councilmember Pendleton noted that the next Ice Breaker Community meeting will be Tuesday, February 10, at 6:00 p.m. Councilmember Pendleton also noted that the purpose of this meeting is to view the final draft.

Councilmember Pendleton made comments concerning the postponing of the budget resolution. Councilmember Pendleton stated that he supports our leadership but was disappointed in the actions of the City Council regarding the resolution.

Councilmember Jordan stated that he decided to make a motion to postpone the budget resolution until after the Finance Committee meets. Councilmember Jordan also stated that this Council has two new members that have several questions concerning this budget. Councilmember Jordan stated that this budget effects each City Councilmember and their district.

Councilmember Graham congratulated the Florence High School Band on their trip to England. Councilmember Graham also congratulated the Florence Police Officers who were honored tonight.

Councilmember Graham made comments concerning the community meeting held last Thursday. Councilmember Graham stated that attendance was very low. Councilmember Graham thanked the citizens and Department Heads for their attendance at the community meeting

Councilmember Graham made comments concerning the budget resolution. Councilmember Graham stated that he supports this budget. Councilmember Graham stated that the items in the budget will help to move Florence forward.

Councilmember Morris congratulated the Florence Police Officers who were honored tonight.

Councilmember Morris made comments concerning the budget resolution. Councilmember Morris stated that the Chairperson of the Finance Committee tried to schedule a meeting before tonight's meeting and was unsuccessful.

Councilmember Morris noted that ten years ago TVA began placing several universities in charge of managing decommission funds. Councilmember Morris stated that he was glad to report that the University of North Alabama team was number one for 2008 in a competition with nineteen other universities in investing these funds.

Councilmember Betterton also expressed appreciation to the Florence Police Officers that were honored tonight. Councilmember Betterton recognized the Chamber of Commerce Leadership Shoals Group for attending tonight's meeting.

Councilmember Betterton applauded the citizens of Florence for serving on the various City Boards and Committees. Councilmember Betterton noted that applications for the boards can now be printed off of the City's web-site. Councilmember Betterton expressed his appreciation to Mr. Gafford and the Florence High School Band.

President Barnhart expressed his appreciation to the Florence Police Officers and to Chief Singleton.

Councilmember Betterton made a motion to adjourn the meeting. 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 Betterton presented the closing prayer.
There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK

City of Florence

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