

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
August 4, 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, August 4, 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

August 4, 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.

- (a) Approval of minutes of the Regular Meeting held on July 21, 2009.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Garver, LLC, for a Corridor/Design Study, Field Survey, Roadway Contract Plans, Bridge Plans, Right-of-Way Map, Acquisition Descriptions and Tract Sketches for ALDOT Project #STPOA-8863(600), Hermitage Drive Bridge Replacement, the maximum amount payable in the amount of \$214,291.00, City to be reimbursed \$200,000.00 by ALDOT, balance to be paid from budgeted funds in 2010 fiscal year, sponsored by Bill Batson.

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- (d) Resolution authorizing the City to enter into a contract with Hand Service Company, Inc., to provide labor, equipment, materials and incidentals necessary to make repairs to pump No. 8 at the River Heritage Park fountain, in the amount of \$10,861.68, to be paid from budgeted funds, sponsored by Todd Nix.
- (e) Resolution authorizing the City to enter into a contract with Layne-Central Company, Inc., to provide labor, equipment, materials and incidentals necessary to make repairs to an existing water supply pump at the Cypress Creek Water Treatment Plant, in the amount of \$28,080.00 plus freight, to be paid from budgeted funds, sponsored by Mike Doyle.
- (f) Resolution to approve a Amendatory Agreement with TVA, relative to the Generation Partners Pilot Program, sponsored by Richard Morrissey.
- (g) Resolution authorizing the City to settle the claim filed against the City by Kali Mangrum for an amount not to exceed \$13,000.00, to be paid from the City's Liability Insurance Fund, sponsored by Bill Musgrove.
- (h) Resolution authorizing the City to settle the claim filed against the City by Hattie Butler for an amount not to exceed \$51,000.00, to be paid from the City's Liability Insurance Fund, sponsored by Bill Musgrove.
- (i) Resolution authorizing the City to enter into a contract for the Provision of Supplemental Police Services with the Florence Housing Authority, sponsored by Rick Singleton.
- (j) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda: **(No Items)**

13. General Business:

- (a) Resolution – Alcohol Beverage License Application for the operation of a Specialty Beverage Store with On-Premises Wine, Off-Premises Wine and Off-Premises Beer by FLORENCE WINE SELLER, INC., d/b/a/ THE WINE SELLER, located at 324 NORTH COURT STREET, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (b) Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
City Historian			

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

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

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

16. Motion to Adjourn.

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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 presented a Proclamation recognizing Tuesday, August 11, 2009 as the 50th Anniversary of the Florence Federal Credit Union. The Proclamation was received by Ms. Maxie Foster, Manager and CEO of the Credit Union.

Mayor Irons announced that the City of Florence was selected for a "Take Pride Statewide" award sponsored by Aunties-Litter, Inc. Mayor Irons stated that this award was for third place for the "Special Event for Litter Prevention" category. Mayor Irons noted that the City of Florence competed with 150 other cities from across the state. Mayor Irons also noted that several events which also included the City-Wide Clean Up project were part of the month long awareness campaign. This award was received by Mr. David Koonce, Director of Solid Waste and Recycle Department and Ms. Rachel Mansell, Education and Outreach Co-ordinator for the Recycle Department.

Mayor Irons complimented the Florence Police Department for the recent capture of a murder suspect from an incident in West Florence. Mayor Irons stated that the City of Florence has one of the finest, trained police forces anywhere.

Mayor Irons made comments concerning the recent stimulus grant that the City of Florence was awarded. Mayor Irons stated that the \$622,325.00 COPS Grant will allow us to add five (5) additional Police Officers to our force. Mayor Irons noted that our goal is to keep our citizens safe.

Mayor Irons reminded everyone that Friday, August 7th through Sunday, August 9th is the Alabama Sales Tax Holiday. Mayor Irons encouraged everyone to shop at home.

Reports of Department Heads: None

Reports of Standing Committees:

Councilmember Pendleton gave a report on the Public Safety Committee meeting that was held Wednesday, July 29th. Councilmember Pendleton stated that the meeting was divided into two parts: The first part dealt with the Fire Department and the second part dealt with the Police Department. Councilmember Pendleton stated that among the topics discussed were fire protection, fire ratings, and the purchase of a new fire truck. Councilmember Pendleton stated that the topics discussed dealing with the Police Department were safety among our neighborhoods and neighborhood watch programs, the hiring of additional officers, security cameras in the downtown area and the new training facility. Councilmember Pendleton also stated that there was a discussion of the state man-dated renovation of the communication center that must be completed by 2010.

Councilmember Pendleton also recognized Ms. Leah Ford, an employee of the Florence Police Department, for her efforts in securing grant money for the Police Department.

Councilmember Morris gave a report on the Planning and Building Committee meeting. The report of the meeting follows, to wit:

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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 Betterton moved for approval of (a) Approval of minutes of the Regular Meeting on July 21, 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 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

Regular Agenda: No Items

General Business

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for the operation of a Specialty Beverage Store with On-Premises Wine, Off-Premises Wine and Off-Premises Beer by FLORENCE WINE SELLER, INC., d/b/a/ THE WINE SELLER, located at 324 NORTH COURT STREET, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said resolution follows, to wit:

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Councilmember Pendleton moved for immediate consideration of the foregoing resolution.

Councilmember Jordan 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 Pendleton moved for adoption of the foregoing resolution. Councilmember Jordan 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:

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
City Historian			

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

John Crowder, 421 Nottingham Road, appeared and made comments concerning the authority of municipalities to license junkyards. Mr. Crowder referenced the Code of Alabama, Section 11-80-10. Mr. Crowder also included a copy of a letter that he wrote to Mayor Frost years ago concerning this matter.

Mr. Crowder also made comments regarding illegal signs. Mr. Crowder referenced an illegal sign promoting Family Night sponsored by the Florence Police Department at Target Shopping Center.

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Billy Ray Simpson, 1738 Ingleside Avenue, appeared and made comments regarding crime. Mr. Simpson stated that crime does not pay and criminals do not get away.

Council Reports and/or Comments:

Councilmember Graham reminded everyone of the District 3 Community meeting on August 27th at Broadway Recreation Center.

Councilmember Graham congratulated the Cal Ripken 11 year old All-stars who participated in the Southeast Regional Tournament.

Councilmember Graham noted that Rena Fowler-Grigsby, an Electricity Department employee, was in a motorcycle accident on Saturday.

Councilmember Morris congratulated the Florence Federal Credit Union for its fifty year service to the community.

Councilmember Morris made comments concerning the Florence Fire Department applying for a grant without first having the Mayor and City Council's approval. Councilmember Morris noted that this matter was discussed at length at today's work session. Councilmember Morris stated that a request was brought to the City Council at the last meeting for an approval of a grant application for a fire station. Councilmember Morris also stated that the next day a request was also brought to the Public Safety Committee meeting for approval of the application. Councilmember Morris stated that no one was made aware of the fact that the grant application had already been submitted. Councilmember Morris noted that the application was removed from the July 21st agenda because of serious questions. Councilmember Morris stated that a question of trust has been destroyed. Councilmember Morris also stated that a bad precedent has been established when a city employee or an elected official substitutes his personal judgement for the judgement of the duly elected body.

Councilmember Betterton stated that the "Keep the Shoals Beautiful" Campaign is still at work. Councilmember Betterton encouraged everyone to properly dispose of cigarette butts.

Councilmember Betterton noted that school starts next week and urged everyone to drive carefully.

Councilmember Betterton made comments regarding the Florence Police Department's participation in the communication information web-site, Nixle.com. Councilmember Betterton stated that you can receive updates about your community.

Councilmember Pendleton stated that he appreciates the work that the Florence Police Department is doing.

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Councilmember Pendleton stated that he wanted the public to know that whatever Mayor Irons did by applying for the 4.1 million dollar stimulus grant he was doing in the best interest of the City of Florence.

Councilmember Pendleton read a portion of a letter he received from Ms. Liz Scott. Councilmember Pendleton noted that Ms. Scott has been working since 2005 to get a stamp in honor of Mr. Sam Phillips. Councilmember Pendleton stated that the resolution for the stamp has now reached Congress. Councilmember Pendleton also stated that on April 3rd, the City of Nashville recognized and paid tribute to Sam Phillips at their City Council meeting.

Councilmember Jordan commended Mr. David Koonce and Ms. Rachel Mansell for their work on the City-Wide Clean Up project.

Councilmember Jordan commended Florence Police Officer Talcott and Officer Blalock for their professionalism concerning a recent incident in District 2.

President Barnhart thanked Mayor Irons and the City Council for safe guarding the City's money.

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Councilmember Graham made a motion to adjourn the meeting. Councilmember Pendleton 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