

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
November 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, November 3, 2009. President Barnhart called the meeting to order. Mayor Irons gave the invocation and led in the Pledge of Allegiance. Robert M. Leyde, City Clerk, performed the roll call and noted that five Councilmembers were present and a quorum was present with the following members of the City Council in attendance: Sam Pendleton, Jr., William D. Jordan, Barry Morris, James H. Barnhart and Andrew Betterton. Hermon T. Graham was absent.

AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

November 3, 2009

5:00 P. M.

-
1. Meeting called to order - President Barnhart
 2. Invocation - Mayor Irons
 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:
 - (a) Rezoning of property located at 303 West Tombigbee Street from R-2 (Single Family Residential District/Small Lots) to R-B (Residential Business District) as requested by Andrew Jackson Porter, Jr.
 - (b) Rezoning of 1.88 acres located on Hough Road from R-1 (Single Family Residential, R-2 (Single Family Residential/Small Lots) and B-2 (General Business District) to R-B (Residential Business District) as requested by Wilson and Hearn Properties, Inc.
 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 October 20, 2009.
 - (b) Confirm payment of bills by the City Treasurer.
 - (c) Resolution authorizing the City to enter into a contract with Aldridge Plumbing & Sprinklers, Inc., to provide labor, equipment, materials and incidentals necessary to install a multi-circuit irrigation system at the Southall-Moore House in the amount of \$7,200.00 to be paid from Budgeted Funds, sponsored by Paul Graham.

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- (d) Resolution authorizing the City to enter into a contract with Florence Housing Authority in the amount of \$10,000.00 for the operation of the Family Self Sufficiency Program to assist residents of public housing to become self sufficient, to be paid from the Community Development Block Grant Program, sponsored by Phil Stevenson.
- (e) Resolution authorizing the City to enter into a contract with the Northwest Alabama Community Health Association, Inc., in the amount of \$10,000.00 to provide quality health and dental care to low income persons who do not have sufficient insurance, to be paid from the Community Development Block Grant Program, sponsored by Phil Stevenson.
- (f) Resolution authorizing the City to enter into a contract with Muscle Shoals, Alabama Plumbers and Steamfitters Joint Apprenticeship Committee to provide required testing for welders in the Florence Utilities Gas Department in the amount of \$3,371.68, to be paid from Budgeted Funds, sponsored by Mike Doyle.
- (g) Resolution authorizing the City to enter into a contract with Magnolia River Services, Inc., to provide specifications for pipeline coating on the O'Neal Bridge crossing in the amount of \$13,900.00 to be paid from Budgeted Funds, sponsored by Mike Doyle.
- (h) Resolution approving an Agreement between the City of Florence and Greenhill Water and Fire Protection Authority regarding reimbursement for water line improvements, sponsored by Mike Doyle.
- (i) Resolution authorizing the City to enter into a contract with TreeLink to disseminate information in support of the Municipal Arborist Data Model, at a cost of \$5,000.00, to be paid through the Alabama Forestry Commission Grant, sponsored by Paul Graham.
- (j) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Ordinance to rezone the property located at 303 West Tombigbee Street from R-2 (Single Family Residential District/Small Lots) to R-B (Residential Business District) as requested by Andrew Jackson Porter, Jr., sponsored by Melissa Bailey.
- (b) Ordinance to rezone 1.88 acres located on Hough Road from R-1 (Single Family Residential), R-2 (Single Family Residential/Small Lots) and B-2 (General Business District) to R-B (Residential Business District) as requested by Wilson & Hearn Properties, Inc., sponsored by Melissa Bailey.

13. General Business:

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Beautification Board	Kelly LaBiche	02/03/09	11/01/09
	Phillip Oliver	05/17/05	11/01/09
	Doris Ross	02/06/07	11/01/09
	Vacancy		
City Historian	Vacancy		
Parks and Rec	Bill Burke	01/06/09	10/30/09
	Travis Elliott	09/04/01	10/30/09
Tree Commission	Lavetta Adams	01/02/07	11/03/09
	Nancy Muse	05/01/07	11/03/09
	Kevin Jangaad	09/16/09	11/03/09

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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 asked for a motion for approval of the agenda. Councilmember Betterton moved for approval of the agenda. Councilmember Pendleton 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 announced that the 5th annual State of the City Address will be Tuesday, November 10th at the Florence/Lauderdale Coliseum. Mayor Irons noted that the doors will open at 5:30 p.m. and the program will begin at 6:30 p.m.

Mayor Irons made comments regarding the 2008-2009 General Fund Fiscal Budget. Mayor Irons stated that the operating budget ended with a surplus of \$143,000.00. Mayor also stated that goals to maintain current employment levels, provide excellent services to our citizens, and to end the year in a sound financial position were met. Mayor Irons stated that the year to date sales tax revenues ended at 3.7% below the previous twelve months which is better than most cities. Mayor Irons also stated September showed a 3% improvement over the previous three months.

Mayor Irons noted that this has been an ongoing effort and based on the economic difficulty that we are still experiencing, we will have to continue the same efforts for this new fiscal year. Mayor Irons thanked the Department Heads and the City Council for their cooperation during these difficult times.

Reports of Department Heads:

David Koonce, Manager of Solid waste, Street & Recycle Department, stated that garbage and recycling pickup will be delayed by one day due to Veterans Day on November 11th.

Reports of Standing Committees: None

Public Hearings:

President Barnhart noted that this was the time and date, as advertised, for a public hearing regarding the proposed rezoning of property located at 303 West Tombigbee Street from R-2 (Single Family Residential District/Small Lots) to R-B (Residential Business District) as requested by Andrew Jackson Porter, Jr and Rezoning of 1.88 acres located on Hough Road from R-1 (Single Family Residential, R-2 (Single Family Residential/Small Lots) and B-2 (General Business District) to R-B (Residential Business District) as requested by Wilson and Hearn Properties, Inc.

Melissa Bailey, Planning Director, stated that both rezonings were unanimously recommended by the Planning Commission.

President Barnhart noted that there were no public comments.

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 October 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 Jordan seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

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

Noes: None

Regular Agenda:

City Clerk, Robert M. Leyde, presented an Ordinance to rezone the property located at 303 West Tombigbee Street from R-2 (Single Family Residential District/Small Lots) to R-B (Residential Business District) as requested by Andrew Jackson Porter, Jr., sponsored by Melissa Bailey. Said Ordinance follows, to wit:

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Councilmember Morris moved for immediate consideration of the foregoing ordinance.

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

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

Noes: None

Councilmember Betterton 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

City Clerk, Robert M. Leyde, presented an Ordinance to rezone 1.88 acres located on Hough Road from R-1 (Single Family Residential), R-2 (Single Family Residential/Small Lots) and B-2 (General Business District) to R-B (Residential Business District) as requested by Wilson & Hearn Properties, Inc., sponsored by Melissa Bailey. Said ordinance follows, to wit:

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

Noes: None

Councilmember Pendleton moved for adoption of the foregoing ordinance. 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>
Beautification Board	Kelly LaBiche	02/03/09	11/01/09
	Phillip Oliver	05/17/05	11/01/09
	Doris Ross	02/06/07	11/01/09
	Vacancy		
City Historian	Vacancy		
Parks and Rec	Bill Burke	01/06/09	10/30/09
	Travis Elliott	09/04/01	10/30/09
Tree Commission	Lavetta Adams	01/02/07	11/03/09
	Nancy Muse	05/01/07	11/03/09
	Kevin Jangaad	09/16/09	11/03/09

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

David Cope, 1750 Eunice Avenue, appeared and made comments regarding the proposed purchase of the Florence Golf & Country Club property. Mr. Cope stated that quality of life and property values should be considered. Mr. Cope also stated that there is considerable pollution of springs that flow beneath the present landfill. Mr. Cope noted that ADEM is now preparing a report as to the source of this contamination and action should be taken. Mr. Cope also noted that private citizens are considering what legal action should be taken regarding the pollution of their property. Mr. Cope stated that any action of the City to purchase the Florence Golf & Country Club property with the expressed purpose of expanding the landfill should be tempered until future developments evolve regarding what legal liability the City may face regarding the operation of its present landfill.

John Crowder, 421 Nottingham Road, appeared and made comments regarding the proposed purchase of the Florence Golf & Country Club property. Mr. Crowder noted that the City's track record regarding the purchases of large tracts of land has been abysmal. Mr. Crowder asked the City Council, that before land is acquired to expand the landfill that other reasonable, alternative sites be considered and evaluated.

Billy Ray Simpson, 1738 Ingleside Avenue, appeared and complimented the leadership of the City. Mr. Simpson noted that the City of Florence is the best managed city anywhere.

Jody McFarland, 1009 Military Road, appeared and made comments regarding the Indian Mound. Ms. McFarland stated that in 1997, the University of Alabama completed a study of the Indian Mound and submitted recommendations to the City of Florence. Ms. McFarland also stated that none of the recommendations have been followed. Ms. McFarland commended Paul Graham, Urban Forestry, for his efforts regarding the care of the Indian Mound.

Barbara Hill, 769 Sannoner Avenue, appeared made comments regarding the Indian Mound Museum. Ms. Hill's comments follow, to wit:

Council Reports and/or Comments:

Councilmember Morris complimented the Florence Mainstreet Program which recently received a distinguished service award from the Alabama Historical Commission.

Councilmember Morris thanked those who made public comments tonight. Councilmember Morris stated that the City Council is mindful of your concerns regarding the Florence Golf & Country Club property.

Councilmember Betterton re-iterated Mayor Irons' comments regarding the City's financial operations. Councilmember Betterton thanked Mayor Irons, Department Heads and City employees for their hard work.

Councilmember Pendleton also re-iterated Mayor Irons' comments regarding the City's finances.

Councilmember Pendleton thanked Mr. Cope and Mr. Crowder for their public comments. Councilmember Pendleton stated that Mayor Irons will make sure that all concerns regarding the expansion of the landfill will be answered.

Councilmember Pendleton stated that he reluctantly agreed to the appointment of two City Councilmembers and two Lauderdale County Commissioners to form a committee to select an individual to serve on the Tourism Board.

Councilmember Pendleton asked everyone to view the new health bill. Councilmember Pendleton stated that he is pleased with a lot of the items in the bill.

Councilmember Jordan made positive comments regarding Florence Mainstreet and former director, Hester Cope. Councilmember Jordan stated that Ms. Cope's past efforts are paying off.

Councilmember Jordan made comments regarding the expansion of the landfill. Councilmember Jordan stated that we must be environmentally sensitive to that area.

President Barnhart had no comments.

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Councilmember Jordan 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 Pendleton presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK