

**CITY OF FLORENCE  
MINUTES OF CITY COUNCIL  
MARCH 1, 2011**

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, March 1, 2011. President Barnhart called the meeting to order. Chief Singleton 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: Sam Pendleton, Jr., William D. Jordan, Hermon T. Graham, Barry Morris, James Barnhart and Andrew Betterton.

**AMENDED AGENDA**

**CITY OF FLORENCE, ALABAMA**

**CITY COUNCIL MEETING**

**March 1, 2011**

**5:00 P.M.**

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1. Meeting called to order - President Barnhart
  2. Invocation - Chief Singleton
  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 February 15, 2011. **(This item was moved to the Regular Agenda Item 12 (d))**
  - (b) Confirm payment of bills by the City Treasurer. **(This item was moved to the Regular Agenda Item 12 (e))**
  - (c) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons. **(This item was moved to the Regular Agenda Item 12 (f))**
12. Regular Agenda:
    - (a) Resolution requesting the Alabama Legislature to approve a local act authorizing the use of an automated traffic camera enforcement system in the City, sponsored by Chief Singleton.

- (b) Resolution to vacate a portion of the right-of-way known as Delta Road, sponsored by Bill Musgrove.
- (c) Resolution to declare the 60.5 acres of real property and the improvements thereon of the former Florence Golf and County Club as surplus property and authorizing the Mayor and the necessary City employees to negotiate a contract for the sale of a portion of this property for further review by the council, sponsored by Dick Jordan, Hermon Graham, James Barnhart and Andy Betterton.
- (d) Approval of minutes of the Regular Meeting held on February 15, 2011. **(This item moved from Consent Agenda Item 11 (a))**
- (e) Confirm payment of bills by the City Treasurer. **(This item was moved from Consent Agenda Item 11 (b))**
- (f) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons. **(This item was moved from Consent Agenda Item (c))**

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	3 - Vacancies		
Civil Service Board	Jim Smith	05/02/05	04/11
Historical Board	Vacancy		
Riverbed Center for Mental Health	Richard H. Davy	05/15/07	04/01/11

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

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

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

16. Motion to Adjourn.

Prior to the approval of the agenda, President Barnhart noted that at the request of Councilmember Pendleton, all Consent Agenda items will be moved to the Regular Agenda. President Barnhart stated that if the Consent Agenda items are moved to the Regular Agenda, then any discussion after each item must be concerning that particular item. Councilmember Pendleton stated that this City Council is trying to silence him. There being no more changes, President Barnhart asked for a motion for approval of the agenda. Councilmember Betterton moved for approval of the agenda. Councilmember Morris seconded the motion.

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

There being no further discussion, a vote taken thereon resulted as follows:

Ayes: Hermon T. Graham  
William D. Jordan  
Barry Morris  
James Barnhart  
Andrew Betterton

Noes: None

Abstain: Sam Pendleton, Jr.

**Message from the Mayor:**

In the absence of Mayor Irons, President Barnhart presented Principal, Dr. Shirley Coker, and staff from Harlan Elementary School a certificate from the Mayor and City Council for receiving the 2010-2011 TorchBearer Award. President Barnhart noted that Harlan School was one of eleven schools in the State of Alabama that was recognized. President Barnhart also noted that a Torchbearer School is a high-poverty public school that has overcome the odds to become a high-performing School. President Barnhart stated that to be eligible for consideration, the school must meet certain requirements and make adequate yearly progress for two consecutive years. President Barnhart also stated that as Councilmember for the district that Harlan School is located in, he expressed his sincere appreciation to the teachers and staff for their hard work.

Councilmember Jordan congratulated Harlan School as well as the dedicated teachers for a great job.

Councilmember Pendleton stated that the City should send more funds to the schools especially during proration.

Councilmember Morris stated that his two sons attended Harlan Elementary School and thanked them for their hard work.

Dr. Coker, Principal at Harlan Elementary School, thanked the City Council for this recognition. Dr. Coker noted that 304 schools in the State were eligible. Dr. Coker also thanked the parents for supporting their children.

**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:**

Mr. John Crowder, 421 Knottingham Road, appeared and made comments in support of Regular Agenda Item 12 (c) Resolution to declare the 60.5 acres of real property and the improvements thereon of the former Florence Golf and County Club as surplus property and authorizing the Mayor and the necessary City employees to negotiate a contract for the sale of a portion of this property for further review by the council, sponsored by Dick Jordan, Hermon Graham, James Barnhart and Andy Betterton. Mr. Crowder stated that the City should seek a price for what the property is worth. Mr. Crowder also stated that he has not found where any of the university's activities causes environmental injustice.

Mr. Sam Pendleton, 1934 Maple Avenue, appeared and made comments in opposition to Regular Agenda Item 12 © Resolution to declare 60.05 acres of real property and the improvements thereon of the former Florence Golf and Country Club as surplus property and authorizing the Mayor and the necessary City employees to negotiate a contract for the sale of the portion of this property for further review by the council, sponsored by Dick Jordan, Hermon Graham, James Barnhart and Andy Betterton. Mr. Pendleton made comments regarding the University of North Alabama. Mr. Pendleton stated that the former Country Club property is not adjacent to District 1. Mr. Pendleton also stated that the University of North Alabama is a bad neighbor and has been for 35 years. Mr. Pendleton stated that this item needs to be pulled off the agenda. Mr. Pendleton stated that he is not in favor of selling any property that is bound by government property. Mr. Pendleton stated that the map that is included with the resolution to sell the property is not a true, certified map. Mr. Pendleton stated that the City Council does not have a land use plan for this property. Mr. Pendleton stated that this City Council has been lazy and has not developed a land use plan. Mr. Pendleton also stated that he is going to vote against immediate consideration.

Mr. Bill Smoak, 2424 Roberts Lane, appeared and made comments regarding the rules of appointment process for City Boards. Mr. Smoak stated that record of attendance to board meetings should be considered yearly and poor attendance could result in the board member being removed from the board.

Mr. Smoak made comments in opposition to the sale of a portion of the former Golf & Country Club property. Mr. Smoak stated according to a Timesdaily article, UNA does not have funds in place to purchase the property but could possibly lease the property. Mr. Smoak questioned whether UNA has paid their part of the improvements to Braly Stadium.

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

**Consent Agenda:**

**All Consent Agenda Items were moved to the Regular Agenda.**

**Regular Agenda:**

City Clerk, Robert M. Leyde, presented Resolution requesting the Alabama Legislature to approve a local act authorizing the use of an automated traffic camera enforcement system in the City, sponsored by Chief Singleton. Said Resolution follows, to wit:

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

Councilmember Betterton 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 Barnhart  
Andrew Betterton

Noes: None

Councilmember Jordan moved for adoption of the foregoing resolution . Councilmember Betterton seconded the motion.

**Discussion:**

Councilmember Morris' comments in opposition to the proposed resolution follows, to wit:

**Please see EXHIBIT "A" at the end of this Document**

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

President Barnhart made comments in favor of the proposed resolution. President Barnhart stated that he feels that the City Council has a responsibility to keep the citizens safe.

Councilmember Jordan noted that tonight's vote for the proposed resolution is just to allow the Legislature to adopt a local act. Councilmember Jordan stated that this must be done before the Council can even begin to discuss the possibility of installing the cameras.

Councilmember Betterton made comments in support of the proposed resolution. Councilmember Betterton stated that he took exception with Councilmember Morris for using the example of breast cancer and the drug Prempro. Councilmember Betterton stated that the Police Department is doing a great job reducing crashes this far. Councilmember Betterton also stated that the City Council needs to give the Police Department the tools it needs.

Councilmember Graham made comments in support of the proposed resolution. Councilmember expressed his appreciation to the Florence Police Department for their hard work in reducing the yearly crashes from 1,800 to 1,300. Councilmember Graham also stated that this vote tonight is not approving the installation. Councilmember Graham stated we are beating a dead horse if we do not allow the Legislature to adopt a local act.

Councilmember Pendleton complained about the amount of time that Councilmember Morris was allowed to speak. Councilmember Pendleton stated that President Barnhart would not allow him to speak as long as Councilmember Morris. Councilmember Pendleton stated that the City Council has spent more time discussing this issue than discussing the landfill.

Councilmember Graham called for a "Point of Order"

Councilmember Morris stated that there is no study that proves traffic cameras reduces crashes. Councilmember Morris also stated that there are studies that show re-adjusting the configuration of the traffic lights can reduce crashes. Councilmember Morris stated that before the Council ask the Legislature, we should have proof that the cameras do in fact reduce crashes and saves lives.

Councilmember Pendleton made comments in favor of the proposed resolution. Councilmember Pendleton stated that we also need to hire 15 additional officers and provide a police car for each officer. Councilmember Pendleton also stated that without law and order, there is no order.

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

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

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

Noes: Barry Morris

City Clerk, Robert M. Leyde presented a Resolution to vacate a portion of the right-of-way known as Delta Road, sponsored by Bill Musgrove. Said Resolution follows, to wit:

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

Councilmember Morris moved for immediate consideration of the foregoing resolution.

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 Barnhart  
Andrew Betterton

Noes: None

Councilmember Betterton moved for adoption of the foregoing resolution. Councilmember Morris seconded the motion.

**Discussion:**

City Attorney, William Musgrove III, stated this is a vacation for an access road at Books-A-Million parking lot. Mr. Musgrove stated that the proposed vacation was approved by the Florence Planning Commission.

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

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

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to declare the 60.5 acres of real property and the improvements thereon of the former Florence Golf and County Club as surplus property and authorizing the Mayor and the necessary City employees to negotiate a contract for the sale of a portion of this property for further review by the council, sponsored by Dick Jordan, Hermon Graham, James Barnhart and Andy Betterton. Said Resolution follows, to wit:

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

Councilmember Betterton moved for immediate consideration of the foregoing resolution.

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

Ayes: Hermon T. Graham  
James Barnhart  
Andrew Betterton

Noes: Sam Pendleton, Jr.

Abstain: William D. Jordan  
Barry Morris

**This item did not received immediate consideration, therefore it was decided by a unanimous agreement of the City Council to carry over the proposed Resolution until the April 5, 2011, City Council meeting, due to the fact that the City Council will be hosting Youth-In-Government Day on March 22<sup>nd</sup> and the broadcast will not be televised as a live broadcast.**

City Clerk, Robert M. Leyde, presented a Resolution for the approval of minutes of the Regular Meeting held on February 15, 2011. **(This item was moved from Consent Agenda Item 11 (a) Resolution follows, to wit:**

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

Councilmember Betterton 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 Barnhart  
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing resolution. Councilmember Betterton seconded the motion.

**Discussion:**

Councilmember Pendleton made comments regarding the minutes of the City Council. Councilmember Pendleton stated that each City Councilmember should review minutes prior to approving the minutes. Councilmember Pendleton submitted a copy of Mayor Irons' comments from September 21, 2010 to be placed in the 2/15/11 minutes. President Barnhart stated that he would instruct Mr. Leyde to place a copy of the minutes in the City Councilmember's mail boxes on Thursday before a City Council meeting. Councilmember Morris stated that he had asked Mr. Leyde to place a copy of the minutes in his mailbox several months ago and has found this very helpful in approving the minutes.

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

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

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to confirm payment of bills by the City Treasurer. **(This item was moved from Consent Agenda Item 11 (b) Said Resolution follows, to wit:**

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

Councilmember Betterton 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 Barnhart  
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing resolution. Councilmember Betterton seconded the motion.

**Discussion:**

Councilmember Pendleton made comments regarding the confirmation of the bills. Councilmember Pendleton noted that there is a large stack of bills and yet we say we have no money. Councilmember Pendleton stated that each time the confirmation of the bills appears on the Consent Agenda then he is voting in support each time of the three percent cost-of-living raise. Councilmember Pendleton also stated that he did not approve the three percent raise for City employees because there are a number of people in our city who are suffering financially. Councilmember Pendleton noted that the City Council does not actually know what bills they are confirming.

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

Ayes: Hermon T. Graham  
William D. Jordan  
Barry Morris  
James Barnhart  
Andrew Betterton

Noes: None

Abstain: Sam Pendleton, Jr.

City Clerk, Robert M. Leyde, presented a Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons. **( This item was moved from the Consent Agenda, Item 11 c)** Said Resolution follow, to wit:

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

Councilmember Betterton 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 Barnhart  
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing resolution . Councilmember Betterton seconded the motion.

**Discussion:**

Councilmember Pendleton made comments regarding employee training. Councilmember Pendleton noted that we send the employees for training and yet we do not have the opportunity to see them use the skills.

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

Ayes: Hermon T. Graham  
William D. Jordan  
Barry Morris  
James Barnhart  
Andrew Betterton

Noes: None

Abstain: Sam Pendleton, Jr.

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

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	3 - Vacancies		
Civil Service Board	Jim Smith	05/02/05	04/11
Historical Board	Vacancy		
Riverbed Center for Mental Health	Richard H. Davy	05/15/07	04/01/11

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

Mr. John Crowder, 421 Knottingham Road, appeared and made comments regarding the sale of the landfill property. Mr. Crowder stated he has spoken to several people who live in close proximity to the former golf course property and that they approve of the sale of the property to UNA.

Ms. Janice Bevis, 1129 Glendale Avenue, appeared representing the Shoals Chapter of Vocal that supports families and survivors of violent crimes. Ms. Bevis made comments regarding the many services that the group performs in the community. Ms. Bevis stated that there will be a fund-raiser event for the Chapter on March 19, 2011 at the Underwood-Petersville Community Center.

Mr. Bill Smoak, 2424 Roberts Lane, appeared and made comments regarding the Consent Agenda. Mr. Smoak stated that the Consent Agenda should not be approved until the public has an opportunity to speak on these matters. Mr. Smoak made comments regarding the installation of traffic cameras. Mr. Smoak questioned the cost of the cameras and if it violated any ethics.

Mr. Billy Ray Simpson, 1738 Ingleside Avenue, appeared and made comments in support of legalizing marijuana. Mr. Simpson stated that he does not use illegal drugs nor does he drink alcohol. Mr. Simpson stated that he believes making marijuana illegal causes greater harm than legalizing it.

**Council Reports and/or Comments:**

Councilmember Betterton congratulated Harlan Elementary School and applauded the teachers for their hard work. Councilmember Betterton also congratulated William S. Tidwell for his assistance with the recent blood drive and for receiving \$1,000.00 from the American Red Cross.

Councilmember Pendleton responded to Mr. John Crowder's comments regarding the University of North Alabama purchasing a portion of the former Golf & Country Club property.

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

Councilmember Pendleton stated that according to Mayor Irons, selling the property to UNA is a win-win situation for UNA and for West Florence. Councilmember Pendleton asked how you could be a good neighbor 2 miles away and not be a good neighbor across the street. Councilmember Pendleton referenced the map of the proposed property to be sold and also Mayor Irons's comments from the City Council meeting on September 21, 2010. Referenced documents follow, to wit:

**Please see EXHIBIT "B" at the end of this document**

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

Councilmember Pendleton stated that he is being advised by the best engineering firm in Alabama regarding landfills and also being advised by the finest legal firm who feels that he is being treated unfairly.

Councilmember Jordan had no comments.

Councilmember Graham thanked everyone in attendance and those watching by television. Councilmember Graham also congratulated Harlan Elementary School, it's teachers and the Florence City School Board. Councilmember Graham thanked the City employees for their hard work. Councilmember Graham noted that the City Council was elected to conduct City business and to keep the meetings going forward.

Councilmember Morris also congratulated Harlan Elementary School and it's teachers. Councilmember Morris also recognized Daniel Hurren, Boy Scout Troop 296, who is in attendance tonight. Councilmember Morris note that Daniel is seeking a Communications Merit Badge.

President Barnhart had no comments.

Councilmember Jordan made a motion to adjourn the meeting.

A vote taken thereon resulted as follows:

Ayes:	Sam Pendleton, Jr. William D. Jordan Hermon T. Graham Barry Morris James Barnhart Andrew Betterton
Noes:	None

Councilmember Graham presented the closing prayer.

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

There being no further business the meeting was adjourned.

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ATTEST:

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CITY CLERK

**EXHIBIT "A"**

**The following is Councilmember Morris' comments regarding traffic cameras.**

Do Red Light Cameras Reduce Accidents?

An AOL Auto reporter, after looking at more than ten studies on both sides of the red light camera argument, reported that conclusions are all over the map.

YES, BUT

A slightly greater number of studies indicated that broadside incidents were reduced by red light cameras. But then The Washington Post conducted a review of traffic accident data at 45 red light camera(RLC) intersections during 1999 and 2000, finding that "Broadside" crashes, also known as right-angle or T-bone collisions, rose 30 percent, from 51 to 106 during that time frame

And a University of Chicago study concluded that there was no statistically significant decrease in accidents between the before and after the RLC were installed

NO

Almost all the studies conclude that rear-end accidents increase after the installation of RLC. Even the Federal Highway Administration and the Journal of the Institute of Transport Engineers come to this conclusion.

MAYBE

A majority of studies show that injury crashes go up in red light cameramonitored junctions. The Washington Post investigation found, for D.C., a rise in every type of crash, writing, "The analysis shows that the number of crashes at locations with cameras more than doubled, from 365 collisions in 1998 to 755 last year. Injury and fatal crashes climbed 51 percent, from 144 such wrecks to 262."

But then the Transportation Research Board concluded, "The findings of several studies support that, in general, red light cameras can bring about a reduction in more severe angle crashes with, at worst, a slight increase in less severe rear-end crashes."

CONCLUSIONS

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

That is why just about every study contains a disclaimer that warns, as in • the Transportation Research Board study, "Based on the information acquired and reviewed for this effort, it appears that red light running automated enforcement can be an effective safety countermeasure. However, there is currently insufficient empirical evidence based on statistically rigorous experimental design to state this conclusively." And from the Virginia study: "These results cannot be used to justify the widespread installation of cameras because they are not universally effective.

The study that Mr. Betterton is hanging his hat on, the INSURANCE INSTITUTE FOR HIGHWAY SAFETY STUDY, is seriously flawed.

This study looked at the number of intersection fatalities in 62 large US cities and divided them into a group of 14 localities where red light cameras were installed and a group of 48 camera-free cities. For each group, accidents in the "before" period of 1992 to 1996 were compared with an "after" period of 2004 to 2008. They did find that fatal "red light" crashes (defined as any intersection crash except a rear end collision!!!) dropped 35 percent in the after period for the cities that happened to have cameras but only dropped 14 percent in the after period for the no-camera cities.

Note that this result reflect citywide accident numbers, not just figures at photo enforced locations, since the researchers did not actually consider a single red light camera accident.

The problem with this overly simplistic method is that it credits red light cameras with accident reductions that take place at intersections without any cameras. It also ignores the natural reduction in fatality rates that happens as automobiles become more crashworthy and hospital trauma care improves over time as well as other explanations of why overall number of accidents in these cities went down. For example, Chandler, Arizona, the community that reported the most dramatic decline in accidents, built Loop 101 and Loop 202 freeways during this time These new routes drew traffic away from intersections during the "after" period despite the increase in population.

One of the things I find most interesting in the call for the installation of RLCs is where some of local officials first learned about these devices.

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

The seminar they attended, in Birmingham, I think, was not sponsored by the National Highway Traffic Safety Administration or the Federal Highway Administration, or the Transportation Review Board, or the Institute for Transportation Engineers, but by a private company that manufactures and installs RLCs. Of course this company is going to spin the narrative to emphasize the supposed safety ramifications and de-emphasize the revenue raising aspects of RLCs. And it's OK to go and listen to such pitches, but it is imperative that we keep an open mind and not let our emotions overrule our thinking.

FINALLY

State supreme courts in Missouri and Minnesota declared RLC unconstitutional.

In every jurisdiction where citizens were allowed to actually vote on keeping or removing the RLCs of which I am aware, the voters voted to have them removed.

The state of New Mexico ordered red light cameras removed as have 14 other states and dozens of cities.

At least 7 other states have pending legislation to ban RLCs.

"The state transportation commission felt strongly that there was not clear cut evidence that they actually make the roads safer,"

—New Mexico Department of Transportation Spokesperson Mark Slimp

"There seems to be many competing studies out there that make confusing claims about the efficacy of the devices currently in use. While the true safety impact of the use of these cameras is still murky at best, one thing has become clear to the Commission — more and more New Mexico cities seem to be putting driver-generated revenues ahead of sound traffic management techniques; frankly, that concept really troubles me."

—State Transportation Commission Chairman Johnny Cope

"After six years of red light cameras in New Mexico, I remain deeply skeptical of this excessive, big-brother approach to public safety, I fully support the ban of these cameras and vans on state and

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

federal roads and highways, and I commend the Transportation Commission for taking a decisive stand on this issue."

—Governor Bill Richardson

Finally, I don't believe that motorists who run red lights are doing so to purposefully break the law.

They are most likely inattentive or momentarily hesitant about whether to keep going or to stop when the light turns yellow. It is most likely the inattention or the hesitancy that leads to red light running. And, I guess it's possible that RLCs could prevent or lessen such inattention or hesitancy, but I don't believe so.

#### SIMPLE, LOW COST, UNOBTRUSIVE SOLUTION

Studies by the Institute of Traffic Engineers have shown that if you slightly increase and standardize the run-time of the yellow light, and leave a slight delay in the cross traffic's transition to green, accidents will be reduced.

The Virginia Department of Transportation increased the yellow time on the traffic lights at US50 and Fair Ridge Drive by 1.50 seconds on March 26, 2001. This increase in yellow time from 4.00 seconds to 5.50 seconds resulted in a 94 percent drop in citations, less than one per day, at this red light camera enforced location."

Hence, I believe it is premature for us to request the state legislature for the authorization necessary to install RLCs in the city of Florence.

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

**EXHIBIT "B"**

**The following is Councilmember Pendleton's documents that he requested to be enter into the minutes.**

MAYOR'S COMMENTS

COUNCIL MEETING-SEPTEMBER 21 , 2010

I would like to make some comments today in response to my friend, Councilman Pendleton's statements in the TimesDaily on Monday, September 20, relating to the potential sale of the former Florence Country Club property to the University of North Alabama.

One of the most inaccurate and misleading comments he made in the interview was his statement that the Mayor cut a sweetheart deal with UNA against the best interest of the City. I am convinced that Mr. Pendleton, after 18 years on the City Council, understands operating procedures and knows that the Mayor does not have the authority to make any deal without the approval of a majority of the Council.

As Mayor and Administrator of our City, it is my responsibility to coordinate many projects and programs on behalf of the City and then bring my recommendations to the Council for final approval or disapproval. Mr. Pendleton knows that is exactly what happened with the potential sale of the Country Club property to UNA. All of the Council knew from the beginning, including Mr. Pendleton, that UNA had an interest in purchasing some of the property and it was up to UNA to come back to the City with an offer at the appropriate time.

This transaction with UNA, if approved by the Council, will be a "winwin" situation for the University and the City. It is definitely an economic development project that enhances future development of the other acreage at the Country Club and the future growth of the West Side of our City. It will also complement the opening of College Street and the redevelopment of West Florence. Growth in the western part of our area will be very important to expedite the opening of College Street to the Sportsplex and Gunwaleford Road. Mr. Pendleton, you are half right. This is a sweet deal. It is a sweet deal for the City and all of its citizens. I wish I had more sweet deals like this to present to the Council.

To recommend the usage of the large, expensive Club House as an office for the Street and Sanitation Departments or for that matter, any City Department, is unwise and would not be good financial management of taxpayer dollars. This would add a tremendous cost to the collection of solid waste and in all likelihood, would require an increase in garbage collection fees. This increase in fees to our citizens is exactly what I am trying to prevent by selling the property and recovering part of the initial

City Of Florence, AL  
Minutes of City Council  
March 1, 2011

investment which was our plan from its inception. We realized that the City did not need 150 acres of land surrounding the Landfill, but it was the only way the property could be purchased.

In response to Mr. Pendleton's comment that he and I took the heat for buying this property, is not the way I remember it. There were 6 Council members and myself involved in the purchase and we took the heat equally. Before I even knew the property was for sale, Mr.

Pendleton and several other Councilmen approached me to research the possibility of buying this property for Landfill purposes.

I would like to make it clear that I am not getting out of the heat or anything else as accused by Mr. Pendleton. I am trying to uphold my duty to the citizens by recommending a sound financial transaction by bringing \$1.2 million back into the City treasury and continuing to control cost of solid waste operations. And, I am trying to do everything I can to encourage development in the West Side of our community.

In addition to Mr. Pendleton's comment about his disappointment in me, I must remind him that I am a person who studies the issues thoroughly before making any decision and then I have the fortitude to stand by that decision. Elected officials who constantly change their positions on issues depending on the way the wind blows eventually lose the respect of the community.

Again, I want to emphasize that the proposed sale of this property to the University is a "win-win" situation for our City and UNA and I strongly recommend that the Council approve the sale at the appropriate time.