

**CITY OF FLORENCE  
MINUTES OF CITY COUNCIL  
JANUARY 3, 2012**

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 3, 2012. 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 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**

**January 3, 2012**

**5:00 P.M.**

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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:
  10. Business from floor pertaining to items on the consent and regular agenda (5-minute time 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 December 20, 2011.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Gann's Discount Siding, Inc., to provide labor, equipment, materials and incidental necessary to replace the roof on the Maintenance Building at Handy/Lewis Fields, in the total amount of \$2,580.00, to be paid from budgeted funds, Account #266-44410, sponsored by Todd Nix.
- (d) Resolution authorizing the City to enter into a contract with J. C. Hamm & Sons, Inc., to provide labor, equipment, materials and incidentals necessary to replace damaged central units at the old Florence Golf and Country Club Clubhouse, in the amount of \$19,978.94, to be expensed to Account #1053-43200, sponsored by David Koonce.

- (e) Resolution authorizing the City to enter into a contract with Irons Electric Co. Inc., to provide labor, materials and incidentals necessary to add Cat 5E lines at the Deibert House, in the amount of \$1,430.00, to be paid from Municipal Capital Improvement Funds, Account #1053-44410, sponsored by Todd Nix. **(This item was moved to Regular Agenda Item 12 (a))**
- (f) Resolution authorizing the City to enter into a contract with Affordable Stump Grinding, Inc., to provide labor, equipment, materials and incidentals necessary to provide stump removal for a one year period with a possible extension to three years, in the per unit amount specified in the contract, to be paid from budgeted funds, Account #593.1 Tree Trimming Maintenance, sponsored by Richard Morrissey.
- (g) Resolution authorizing the City to enter into a contract with Shoals Chamber of Commerce in the amount of \$10,000.00, to be paid from budgeted Economic Development Funds, sponsored by Dan Barger.
- (h) Resolution authorizing the City to enter into a contract with Hill and Jangaard Architects, P. C., to provide preliminary design services for Phase I of Memorial Grove at the old Armory site, in the amount of \$5,000.00, to be paid from Fund #117, Municipal Capital Improvement Fund, Account #939-44725, sponsored by Todd Nix.
- (i) Resolution to approve an Agreement for Release of Property Damage with Tennessee Farmers Mutual Insurance Company in consideration for the payment of \$849.02 from Tennessee Farmers Mutual Insurance Company, sponsored by Bill Musgrove.
- (j) Resolution to appoint Patricia Bulls-Butler to the Beautification Board, sponsored by the City Council.
- (k) Resolution to reappoint Vince Brewton to the Historical Board, sponsored by the City Council.
- (l) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

12. Regular Agenda:

- (a) Resolution authorizing the City to enter into a contract with Irons Electric Co. Inc., to provide labor, materials and incidentals necessary to add Cat 5E lines at the Deibert House, in the amount of \$1,430.00, to be paid from Municipal Capital Improvement Funds, Account #1053-44410, sponsored by Todd Nix. **(This item was moved from Consent Agenda Item 11 (e))**

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	1 - Vacancy		
Historical Board	1 - Vacancy		
Housing & Construction	3 - Vacancies		
Appeals Board			

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

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

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

16. Motion to Adjourn.

President Barnhart noted that Consent Agenda Item 11 (e) Resolution authorizing the City to enter into a contract with Irons Electric Co. Inc., to provide labor, materials and incidentals necessary to add Cat 5E lines at the Deibert House, in the amount of \$1,430.00, to be paid from Municipal Capital Improvement Funds, Account #1053-44410, has been moved to Regular Agenda, Item 12 (a).

There being no more changes, President Barnhart asked for a motion for approval of the amended agenda. Councilmember Graham moved 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

Noes: No

**Message from the Mayor:**

Mayor Irons introduced Mr. Robert Steen, Chairperson of the Historical Board. Mr. Steen made comments regarding forming a cemetery committee for the restoration and maintenance of cemeteries located in the City of Florence. Mr. Steen noted that there are 27 cemeteries located in the City of Florence that range from being in deplorable condition to being very well maintained cemeteries. Mr. Steen further noted that members of the Historical Board had a meeting with Mr. Billy Sledge to discuss solutions to locating and maintaining these historical cemeteries. Mr. Steen stated that the two new positions that were recently approved by the City Council for the Historical Board will be assisting with this project. Mr. Steen further stated that assistance and finances will be needed in this endeavor.

Mayor Irons' comments follow, to wit:

**Report of Department Heads:**

Robert M. Leyde, City Clerk, announced that there are public hearings scheduled for January 9, 2012 from 5:00 p.m. until 7:00 p.m. at the Handy Recreation Center located on Beale Street and January 10, 2012 from 5:00 p.m. until 7:00 p.m. at the City Hall Auditorium located on Pine Street. Mr. Leyde noted that both public hearings are for the purpose of seeking input and comments from the public regarding the proposed reapportionment of the City Council Districts that is necessary due to the population shifts as determined by the 2010 Census. Mr. Leyde further noted that maps are available for review in his office.

**Report of Standing Committee:** None

Councilmember Betterton made comments regarding a Cemetery Committee/Historical Board. Councilmember Betterton asked President Barnhart what the Council's responsibility is regarding this matter.

President Barnhart stated that he feels that this matter falls under the administration's authority.

Councilmember Pendleton stated that he agrees with President Barnhart.

Councilmember Betterton stated that he feels that a resolution needs to be drafted that states that the City Council fully supports the efforts of the Historical Board.

**Public Hearing:** 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 the ordinances and resolutions as follow, to-wit:

`Councilmember Pendleton seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

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

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into a contract with Irons Electric Co. Inc., to provide labor, materials and incidentals necessary to add Cat 5E lines at the Deibert House, in the amount of \$1,430.00, to be paid from Municipal Capital Improvement Funds, Account #1053-44410, sponsored by Todd Nix. Said Resolution follows, to wit:

Councilmember Pendleton moved for immediate consideration of the foregoing resolution.

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

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

Noes: None

Councilmember Pendleton 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.  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
James H. Barnhart

Noes: None

Abstain: Andrew Betterton

**General Business:**

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
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Historical Board	1 - Vacancy		
Housing & Construction	3 - Vacancies		
Appeals Board			

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

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments in favor of legalizing marijuana. Mr. Simpson stated that we must look at this situation differently. Mr. Simpson further stated that more crimes are caused by alcohol and hand guns rather than marijuana.

Mr. James Pickens, 603 Industry Street, appeared and made comments regarding an increase in garbage fees. Mr. Pickens stated that it appears that the Council is at a stalemate regarding this matter. Mr. Pickens further stated that if garbage rates must be increased then the increase should be added to commercial customers. Mr. Pickens stated that low income, elderly citizens should be exempt from paying garbage fees.

Mr. Phil Everett, appeared and made comments in opposition to a proposed Wal-mart Super Center coming to North Florence. Mr. Everett stated that if Wal-mart is allowed to build a second store then it could be terrible for the "Mom & Pop" stores. Mr. Everett further stated that he is in support of more jobs, but he is not in support of products that are not manufactured in the U.S.

Mr. Billy Joe Sledge, 4415 Chisholm Road, appeared and made comments regarding the formation of a cemetery committee. Mr. Sledge stated that he is opposed to a cemetery committee being a part of the Historical Board. Mr. Sledge further stated that the Historical Board is overworked now and would not have enough time to handle the local cemeteries.

**Council Reports and/or Comments:**

Councilmember Morris stated that he hoped everyone had a Merry Christmas and wished everyone a Happy New Year.

Councilmember Pendleton also wished everyone a Happy New Year.

Councilmember Pendleton made comments regarding garbage. Councilmember Pendleton stated that he is not pleased that the City is not in charge of its garbage. Councilmember Pendleton further stated that he believes the figures regarding a transfer station are incorrect. Councilmember

Pendleton stated that he is not in favor of extending the contract of transferring the City's garbage.

Councilmember Pendleton stated that he approves and supports Coach Bobby Wallace returning to coach football at the University of North Alabama.

Councilmember Jordan congratulated UNA Officials for hiring Coach Wallace and that this was a very positive move.

Councilmember Jordan made comments regarding the economy. Councilmember Jordan thanked Main Street, Downtown Florence Unlimited and the Historical Preservation Committee for their work in 2011.

Councilmember Graham stated that he hoped everyone had a very Merry Christmas and a Happy New Year.

Councilmember Graham expressed his concern for the possible increase of garbage rates. Councilmember Graham stated that he is not in favor of any increases.

Councilmember Graham further stated that the District 3 Community meeting will be held in April.

Councilmember Betterton expressed his condolences to Todd Nix, Community Services Director, on the recent death of his mother. Councilmember Betterton also offered condolences to the Agnes Glasscock family. Councilmember Betterton stated that Ms. Glasscock was the owner of the Ole General Store and watched the City Council meetings faithfully.

Councilmember Betterton made comments regarding the formation of a cemetery authority. Councilmember Betterton stated that he believes the discussions have been very productive. Councilmember Betterton further stated that the cemeteries need to be protected for the coming generations.

President Barnhart made comments regarding the proposed sale of the former Country Club paper to a Chinese Company and for those who made statements about him because of his opposition to China. President Barnhart read a article from CBS News that stated that hackers with ties to China had for over a year hacked into the US Chamber of Commerce including US trade polices. President Barnhart noted that Mr. Robert Brant, US Counter Intelligence Executive, stated that this has been a long term and ongoing threat to the United States.

President Barnhart stated that people need to be careful of making rash statements regarding anyone's position on this matter. President Barnhart further stated that he is proud of his position on this matter and he believes in America.

Councilmember Pendleton noted that the Florence City School Board District lines are the same as the Florence City Council District lines. Councilmember Pendleton further noted that anyone interested in the Florence School Board election may want to attend the Public Hearings that City Clerk, Robert Leyde, announced tonight.

Councilmember Morris made a motion to adjourn the meeting. Councilmember Jordan seconded the motion. 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 Pendleton presented the closing prayer.

There being no further business the meeting was adjourned.

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ATTEST:

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CITY CLERK