

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
SEPTEMBER 4, 2012**

The regular meeting of the City Council of the City of Florence, Alabama, was held in the City Hall Auditorium in Florence at 12:00 p.m., on Tuesday, September 4, 2012. President Barnhart called the meeting to order. President Barnhart 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.

AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

September 4, 2012

12:00 P.M.

1. Meeting called to order - President Barnhart
2. Invocation
3. Pledge of Allegiance
4. Roll Call - President Barnhart
5. Approval of Agenda
6. Canvassing of returns and issuance of certificates of election for the City of Florence Mayoral, City Council, and Board of Education elections held on August 28, 2012, pursuant to §11-46-55 of the CODE OF ALABAMA 1975, as amended.
7. Resolution ordering a runoff election for the City Council District 5 seat between Blake Edwards and Coy Bramlett to be held on Tuesday, October 9, 2012, pursuant to §11-46-55 of the CODE OF ALABAMA 1975, as amended.
8. Message from Mayor
9. Reports of Department Heads
10. Reports of Standing Committees
11. Public Hearings: None
12. Business from floor pertaining to items on the consent and regular agenda (5-minute time limit).
13. 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 August 21, 2012.
- (b) Confirm payment of bills by the City Treasurer.

- (c) Resolution authorizing the City to enter into a contract with Shotcrete of America, LLC, to provide labor, equipment, materials and incidentals necessary for the East Lakeside Drive Storm Drainage Corrections, in the amount of \$61,070.00, to be paid budgeted Fund 188, Account #1071-48100, sponsored by Bill Batson.
- (d) Resolution authorizing the City to enter in a contract with AT&T Alabama, to provide necessary installation and service for intrastate, intraLATA OC-3 BellSouth SMARTRing service for a period of thirty-six months, to be paid from budgeted funds, Account #921.00 Office Supplies and Expenses, sponsored by Steve Price.
- (e) Resolution to approve a permit for the installation/modification of traffic signals on Alabama Highway 157 at Alabama Highway 133, proposed Main Site Access, and Wright Drive, sponsored by Bill Batson.
- (f) Resolution authorizing the City to enter into a contract with Florence-Lauderdale Port Authority to repair an existing storm sewer culvert running southeast of the intersection of Canal Street and South Court Street, in the amount of \$10,000.00, to be paid from Special Projects, Account #398-43110, sponsored by Bill Batson.
- (g) Resolution authorizing the City to enter into the State of Alabama Home Energy Supplier Agreement with ADECA to participate in the Low Income Home Energy Assistance Program, sponsored by Richard Morrissey and Vance Young.
- (h) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Irons.

14. Regular Agenda:

- (a) Ordinance to rename the street known as Cherry Hill Place to Karl T. Tyree, Jr., Place, sponsored by Melissa Bailey.

15. General Business:

- (a) Resolution – Alcohol Beverage License Application for the operation of a Grocery Store with Off-Premises Beer & Wine by PUBLIX ALABAMA, LLC, d/b/a PUBLIX ALABAMA #1409, located at 322 COX CREEK PARKWAY, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (b) Resolution – Special Events Alcohol Beverage License Application by ON THE ROCKS LLC, d/b/a ON THE ROCKS, located at 110 N. COURT STREET, FLORENCE, AL 35630 to serve alcohol in the street during the Sam Phillips Music Festival on October 6, 2012, sponsored by Robert M. Leyde.

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Housing & Construction Appeals Board	5 - Vacancies		
SEDA	2 - Vacancies		
Zoning Adjustments	1 - Vacancy (Supernumerary)		

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

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

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

18. 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.
Hermon T. Graham
William D. Jordan
Barry Morris
James H. Barnhart
Andrew Betterton

Noes: None

Message from the Mayor: None

Report of Department Heads: None

Report of Standing Committee:

Councilmember Morris called on City Engineer, Bill Batson, to discuss Consent Agenda Item 13 (e) Resolution to approve a permit for the installation/modification of traffic signals on Alabama Highway 157 at Alabama Highway 133, proposed Main Site Access, and Wright Drive.

Public Hearing: None

Business from the Floor Pertaining to Items on the Consent or Regular Agenda:

Coy Bramlett, 105 Kensington Drive, appeared and made comments in opposition to Consent Agenda Item 13 (e) Resolution to approve a permit for the installation/modification of traffic signals on Alabama Highway 157 at Alabama Highway 133, proposed Main Site Access, and Wright Drive.

Consent Agenda:

President Barnhart asked for a motion for approval of the Consent Agenda items.

Councilmember Graham moved for approval of the ordinances and resolutions as follow, to-wit:

Councilmember Jordan 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 an Ordinance to rename the street known as Cherry Hill Place to Karl T. Tyree, Jr., Place, sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Graham moved for immediate consideration of the foregoing ordinance.

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

Discussion:

Councilmember Graham made comments in support of the proposed ordinance.

Councilmember Graham stated that Mr. Tyree was very deserving of this recognition.

It was also noted that Shaler Robert, Director of the Florence Housing Authority, requested the name change in recognition of Mr. Tyree's service to the City of Florence.

There being no further 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
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for the operation of a Grocery Store with Off-Premises Beer & Wine by PUBLIX ALABAMA, LLC, d/b/a PUBLIX ALABAMA #1409, located at 322 COX CREEK PARKWAY, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Pendleton moved for immediate consideration of the foregoing resolution.

Councilmember Betterton 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 Morris 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
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution – Special Events Alcohol Beverage License Application by ON THE ROCKS LLC, d/b/a ON THE ROCKS, located at 110 N. COURT STREET, FLORENCE, AL 35630 to serve alcohol in the street during the Sam Phillips Music Festival on October 6, 2012, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Pendleton moved for immediate consideration of the foregoing resolution.

Councilmember Morris 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 Jordan seconded the motion.

Discussion:

Councilmember Morris made comments in favor of the proposed resolution.

There being no further 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
Andrew Betterton

Noes: None

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Housing & Construction Appeals Board	5 - Vacancies		
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Zoning Adjustments	1 - Vacancy (Supernumerary)		

President Barnhart noted that Robbie Hillis has been nominated for ?????

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

Mr. Coy Bramlett, 105 Kensington Drive, appeared and made comments regarding the installation of traffic signals at Wright Drive, Cloverdale Road and Cox Creek Parkway. Mr. Bramlett stated that he believes that there are going to be serious injuries and deaths between Wright Drive and Cox Creek Parkway.

Mr. Billy Sledge, 107 Hickory Lane, appeared and stated that someone needs to cut the grass at the cemetery located at the old Country Club property.

Marvin Fulks, Killen, appeared and stated that we need to treat people with respect and as decent human beings.

Council Reports and/or Comments:

Councilmember Pendleton stated that he took offense to Mr. Bramlett's comments regarding the traffic study at the proposed Wal-Mart site in North Florence.

Councilmember Pendleton stated that the Cemetery Committee needs to make a request to the City regarding the upkeep of the cemetery located at the former Florence Golf & Country Club.

Councilmember Jordan stated that he had attended the ground-breaking for the University of North Alabama Commons Building. Councilmember Jordan congratulated those who were elected to the City Council.

Councilmember Graham also congratulated those who were elected to the City Council and also thanked those who voted for him.

Councilmember Morris also thanked those who voted to re-elect him for City Council.

Councilmember Betterton stated that he was thankful to those who voted for him and also to those who supported him especially his family.

President Barnhart made comments regarding Wright Drive. President Barnhart stated that Wal-Mart was destined to come in.

Councilmember Morris made a motion to adjourn. Councilmember Betterton seconded the motion.

A vote taken thereon resulted as follows:

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

Noes: Sam Pendleton, Jr.

Councilmember Graham presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK