

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
SEPTEMBER 18, 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, September 18, 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.

AMENDED AGENDA

CITY OF FLORENCE, ALABAMA

CITY COUNCIL MEETING

September 18, 2012

5:00 P.M.

1. Meeting called to order - President Barnhart
2. Invocation - President Barnhart
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 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 September 4, 2012.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a Service Agreement with Invensys Process Systems, to be paid according to a fee schedule, sponsored by Mike Doyle.
- (d) Resolution authorizing the City to submit a Grant Application/Proposal to the Wal-Mart Foundation to provide funding for materials to be used in conjunction with the City's Annual Citywide Cleanup, in the amount of \$3,000.00 with no matching funds required, sponsored by David Koonce.

- (e) Resolution authorizing the City to submit a Grant Application to the Alabama Department of Economic and Community Affairs Law Enforcement Planning, under the Omnibus Crime Control and Safe Streets Act of 1968 (P.O. 90-351 as amended), for financial aid to combat rising crime, improve the criminal justice system, and assist victims of crime and assist in the problems of juvenile justice, sponsored by Ron Tyler.
- (f) Resolution authorizing the City to enter into a contract with Big River Broadcasting Corporation to advertize and promote the city during the Sam Phillips Celebration, in the amount of \$7,500.00, sponsored by Mayor Irons and the City Council.
- (g) 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 an agreement with Wal-Mart Real Estate Business Trust regarding Utilities Easement, sponsored by Bill Musgrove.
(This item was added to the Regular Agenda)

13. General Business:

- (a) Resolution authorizing the City to appropriate the following sums for the General Fund Budget, reflecting projected revenues of \$52,054,100.00 and projected expenses of \$52,012,147.00 for fiscal year ending September 30, 2013, sponsored by Mayor Irons and Dan Barger.
- (b) Resolution approving the fifteen (15) various Special Fund Budgets, in the amount of \$16,457,535.00, for the fiscal year ending September 30, 2013, sponsored by Mayor Irons and Dan Barger.
- (c) Resolution authorizing the City to appropriate the following sums for the Solid Waste Fund Budget, reflecting projected revenues of \$4,482,515.00 and projected expenses of \$5,583,524.00 for the fiscal year ending September 30, 2013, sponsored by Mayor Irons and Dan Barger.
- (d) Resolution approving an amendment to the 2012-13 Electricity Department budget to conform to the proposed General Fund budget, sponsored by Richard Morrissey and Vance Young.
- (e) Resolution approving an amendment to the 2012-13 Gas Department budget to conform to the proposed General Fund budget, sponsored by Mike Doyle and Vance Young.
- (f) Resolution approving an amendment to the 2012-13 Water Department budget to conform to the proposed General Fund budget, sponsored by Mike Doyle and Vance Young.
- (g) Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Agri-Business Center	1 - vacancy		
Beautification Board	Scott Townsend	12/07/10	11/01/12
	Susan Burdine	12/01/09	11/01/12
	2 - vacancies		
Historical Board	Kenneth Johnson	03/25/09	12/17/12
	Robert Steen	01/19/10	12/17/12
Housing & Construction Appeals Board	5 - Vacancies		
Library Board	Jeannie Rogers	04/17/07	12/01/12
	1 - Vacancy		

SEDA	2 - Vacancies	
Tree Commission	Kevin Jangaard 09/16/08 2 - Vacancies	11/03/12
Zoning Adjustments	1 - Vacancy (Supernumerary)	

14. Business from the public (5-minute time limit).
15. Council Members reports and/or comments (5-minute time limit).

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

16. Motion to Adjourn.

President Barnhart noted Item 12 (a) Resolution authorizing the City to enter into an agreement with Wal-Mart Real Estate Business Trust regarding Utilities Easement sponsored by Bill Musgrove was added to the Agenda at the earlier work session.

President Barnhart asked for a motion for approval of the amended agenda. Councilmember Pendleton moved for approval of the amended agenda. Councilmember Morris 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:

Mayor Irons' comments follow, to wit:

Report of Department Heads: None

Report of Standing Committee:

Councilmember Jordan, Chairman of the Finance Committee, report follows, to wit:

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 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 a Resolution to approve a Wal-Mart utility easement agreement, sponsored by Bill Musgrove. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing resolution.

Councilmember Pendleton 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 resolution. Councilmember Betterton 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 authorizing the City to appropriate the following sums for the General Fund Budget, reflecting projected revenues of \$52,054,100.00 and projected expenses of \$52,012,147.00 for fiscal year ending September 30, 2013, sponsored by Mayor Irons and Dan Barger. 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 Betterton moved for adoption of the foregoing resolution. Councilmember Pendleton seconded the motion.

Discussion:

Councilmember Pendleton made comments in favor of the proposed resolution. Councilmember Pendleton stated that people often forget about natural growth. Councilmember Pendleton commended Mayor Irons and Dan Barger for their work on this budget.

Councilmember Graham also commended Mayor Irons for his work and expertise on the City's budget for the past eight years in Office.

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 approving the fifteen (15) various Special Fund Budgets, in the amount of \$16,457,535.00, for the fiscal year ending September 30, 2013, sponsored by Mayor Irons and Dan Barger. Said Resolution follows, to wit:

Councilmember Graham moved for immediate consideration of the foregoing resolution.

Councilmember Pendleton 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 Betterton seconded the motion.

Discussion:

Councilmember Pendleton made comments in favor of the proposed resolution. Councilmember Pendleton noted that a large portion of this money is going to the Florence City School Board to assist in school operations.

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 authorizing the City to appropriate the following sums for the Solid Waste Fund Budget, reflecting projected revenues of \$4,482,515.00 and projected expenses of \$5,583,524.00 for the fiscal year ending September 30, 2013, sponsored by Mayor Irons and Dan Barger. Said Resolution follows, to wit:

Councilmember Jordan moved for immediate consideration of the foregoing resolution.

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

Discussion:

Councilmember Pendleton made comments in favor of the proposed resolution.

Councilmember Pendleton noted that there is a deficit in this budget.

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 approving an amendment to the 2012-13 Electricity Department budget to conform to the proposed General Fund budget, sponsored by Richard Morrissey and Vance Young. 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 Betterton seconded the motion.

Discussion:

Councilmember Pendleton made comments in favor of the proposed resolution. Councilmember Pendleton stated that this amendment is a wage adjustment to give the Electricity Department employees a cost of living raises to comply with the General Fund's wage adjustment.

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 approving an amendment to the 2012-13 Gas Department budget to conform to the proposed General Fund budget, sponsored by Mike Doyle and Vance Young. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing resolution.

Councilmember Pendleton 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 resolution. Councilmember Pendleton seconded the motion.

Discussion:

Councilmember Pendleton made comments in favor of the proposed resolution.

Councilmember Pendleton stated that with is a wage adjustment to comply with General Fund's wage adjustment. 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 approving an amendment to the 2012-13 Water Department budget to conform to the proposed General Fund budget, sponsored by Mike Doyle and Vance Young. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing resolution.

Councilmember Pendleton 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.

Discussion:

Councilmember Pendleton made comments in favor of the proposed resolution. Councilmember Pendleton stated that the City's employees deserve a wage adjustment. Councilmember Pendleton further stated that the City's employees spend money to help our economy.

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

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expire</u>
Agri-Business Center	1 - vacancy		
Beautification Board	Scott Townsend	12/07/10	11/01/12
	Susan Burdine	12/01/09	11/01/12
Historical Board	Kenneth Johnson	03/25/09	12/17/12
	Robert Steen	01/19/10	12/17/12
Housing & Construction Appeals Board	5 - Vacancies		
Library Board	Jeannie Rogers	04/17/07	12/01/12
	1 - Vacancy		
SEDA	2 - Vacancies		

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

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments regarding the United States Constitution. Mr. Simpson stated that we need elected people who will guarantee and support our rights.

Mr. John Hargett, 1406 North Wood Avenue, appeared and made comments regarding the Bill of Rights. Mr. Hargett stated that our rights come from God and not from government. Mr. Hargett further stated that government gives us rights but can also take away our rights.

Mr. Bart Connor, 303 Ashwoody Drive, appeared and thanked Mayor Irons, City Council and Department Heads for their hard work regarding the City's 2013 budget.

Mr. Connor also made comments regarding Forest Hills School being a voting precinct. Mr. Connor stated that on the last election day the traffic was terrible. Mr. Connor further stated that the children's safety should be taken into consideration.

Mr. Connor made comments regarding the Florence Planning Commission. Mr. Connor stated that a proposed Wal-Mart Super Center was not a part of the City's master plan.

Council Reports and/or Comments:

Councilmember Jordan stated that the General Fund budget that was passed tonight is a very good budget. Councilmember Jordan also expressed his appreciation to the Council for increased funding to the Florence/Lauderdale Public Library.

Councilmember Graham noted that the District 3 Community meeting will be held on October 25 at the Broadway Recreation Center.

Councilmember Morris echoed Councilmember Jordan's comments regarding the Florence/Lauderdale Public Library. Councilmember Morris also stated that he is pleased that the City's finances are in such great shape.

Councilmember Betterton made comments regarding voting at Forest Hills School. Mr. Betterton thanked Mr. Cannon for his comments regarding the traffic problem during any election.

Councilmember Pendleton thanked those who spoke during the Public Comments portion of tonight's meeting.

Councilmember Pendleton also thanked Mr. Robert Palmer, TimesDaily Reporter, for his stories regarding local places and people.

Councilmember Pendleton noted that his son, Cedric Pendleton, is starring in a movie titled "Unconditional" which is currently showing at the Cinema Theater in Florence.

President Barnhart had no comments.

Councilmember Graham presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK