

**CITY OF FLORENCE  
MINUTES OF CITY COUNCIL  
February 19, 2013**

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, February 19, 2013. President Jordan called the meeting to order. Councilmember Morris 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: Dave Smith, William D. Jordan, Hermon T. Graham, Barry Morris, Blake Edwards and Andrew Betterton.

**AMENDED AGENDA**  
**CITY OF FLORENCE, ALABAMA**  
**CITY COUNCIL MEETING**  
**February 19, 2013**  
**5:00 P.M.**

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1. Meeting called to order - President
2. Invocation - Councilmember Morris
3. Pledge of Allegiance
4. Roll Call - President Jordan
5. Approval of Agenda
6. Message from Mayor
7. Reports of Department Heads
8. Reports of Standing Committees
9. Public Hearings: Proposed rezoning of 450 Country Club Drive from F-A-R (Flooding Agricultural & Recreational District) to R-B (Residential Business District) as requested by the City of Florence, AL
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 February 5, 2013 Meeting.
  - (b) Confirm payment of bills by the City Treasurer.
  - (c) Resolution authorizing the City to enter into a Memorandum of Understanding with the Tennessee Valley Authority (TVA), TVA Contract No. 7062, for the extension of the 10" water main and installation of fire hydrant at Wilson Lock, the cost of \$144,671.00 to be reimbursed to the Water Department by TVA, sponsored by Mike Doyle.

- (d) Resolution authorizing the City to enter into a Cooperative Agreement with the City of Tuscaloosa, City of Daphne, City of Albertville, City of Boaz, City of Troy, the East Alabama Recycling Partnership and the Alabama Environmental Council, to establish and maintain a comprehensive and coordinated recycling program in the State of Alabama and to pursue grant funding through the Alabama Recycling Fund grant program administered by ADEM, sponsored by David Koonce. **(This item was removed)**
- (e) Resolution authorizing the City to submit a preliminary grant request to the Alabama Department of Environmental Management (ADEM) for grant funds to be used for various recycling programs and to enhance the recycling programs at the University of North Alabama, in the Towns of Killen and Rogersville, Alabama, and other Lauderdale County recycling programs, matching funds in the amount of \$45,000.00 to be requested in next year's budget, sponsored by David Koonce.
- (f) Resolution authorizing the City to enter into a contract with Greg Harrison DBA Harrison Insulation, to provide labor, equipment, materials and incidentals necessary to cause repairs to the roof at the Blackberry Trail Golf Course Pro Shop, in the amount of \$7,820.00, to be paid from budgeted Fund 117, sponsored by Todd Nix.
- (g) Resolution authorizing the City to enter into a contract with Commercial and Industrial Renovators, Inc., to provide labor, equipment, materials and incidentals necessary to prep and paint portions of the interior walls and doors of the Florence-Lauderdale Coliseum, in the amount of \$4,975.00, to be paid from budgeted funds 266-44410, Fund 117, sponsored by Todd Nix.
- (h) Resolution authorizing the City to settle the claim filed against the City by Mary Otis Bean for an amount not to exceed \$19,733.54, to be paid from the City's Liability Insurance Fund, sponsored by Bill Musgrove.
- (i) Resolution authorizing the City to settle the claim filed against the City by the Estate of Joseph Cooper for an amount not to exceed \$22,019.23, to be paid from the City's Liability Insurance Fund, sponsored by Bill Musgrove.
- (j) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Haddock.

12. Regular Agenda:

- (a) Ordinance to rezone 450 Country Club Drive from F-A-R (Flooding Agricultural & Recreational District) to R-B (Residential Business District) as requested by the City of Florence, AL, sponsored by Melissa Bailey
- (b) Ordinance authorizing the issuance, sale, delivery and payment of a \$2,000,000 General Obligation Warrant, Series 2013, dated the date of delivery to Regions Bank, sponsored by Bill Musgrove.
- (c) Ordinance to declare property located on Marietta Street as surplus property and authorize and approve the sale and conveyance of the property for the sum of \$188.27, to Aubrey P. Richardson, Jr., sponsored by Bill Musgrove.
- (d) Resolution to enter into a Contract with the City of Florence, Lauderdale County and Shoals Ambulance, Inc., to perform ambulance services in the City and Lauderdale County, sponsored by George Grabryan and Phil Stevenson.
- (e) Resolution to appropriate \$14,359.62 to the Florence City School Board for the sole purpose of paying half the cost of the installation of an HVAC system at Burrell Slater School, to be paid from the One Cent Sales Tax Capital Fund, sponsored by Councilmember Dave Smith.
- (f) Resolution to annex approximately 65 acres at the intersection of Gresham Road and Seville Street, north of Gresham Road and south of Plantation Springs subdivision, sponsored by Mayor Haddock.

13. General Business:

- (a) Resolution – Alcohol Beverage License Application for the operation of a Full-Menu Restaurant with On-Premises Liquor, Beer & Wine by HUI NING INC., d/b/a HIBACHI STEAKHOUSE & SUSHI, located at 125 COX CREEK PARKWAY SOUTH, FLORENCE, AL 35630, sponsored by Robert M. Leyde.

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

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

Councilmember Morris  
Councilmember Edwards  
Councilmember Betterton  
Councilmember Smith  
Councilmember Graham  
Councilmember Jordan

16. Motion to Adjourn.

President Jordan noted that it was decided at the earlier work session to remove Consent Agenda Item 11 (d) Resolution authorizing the City to enter into a Cooperative Agreement with the City of Tuscaloosa, City of Daphne, City of Albertville, City of Boaz, City of Troy, the East Alabama Recycling Partnership and the Alabama Environmental Council, to establish and maintain a comprehensive and coordinated recycling program in the State of Alabama and to pursue grant funding through the Alabama Recycling Fund grant program administered by ADEM.

There being no further changes, President Jordan asked for a motion for approval of the amended agenda. Councilmember Betterton moved for approval of the amended agenda. Councilmember Graham seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

Ayes: Dave Smith  
Hermon T. Graham  
William D. Jordan  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

**Message from the Mayor:**

Mayor Haddock noted that Phil Stevenson, Purchasing Agent, and Ernie Fite are being reappointed to the Florence Planning Commission. Mayor Haddock further noted that these appointments are for a four-year term and that Mr. Stevenson is the administrative appointee and Mr. Fite is the Mayor's appointee.

Mayor Haddock presented a Proclamation designating the week of February 17<sup>th</sup> through the 23<sup>rd</sup>

as National Arbor Week and more specifically Thursday, February 21<sup>st</sup> as Arbor Day. This Proclamation was received by Mr. Bryan Miller, Chairperson of the Florence Tree Commission.

Mayor Haddock presented a Proclamation designating Friday, March 1 as Van Morgan Day. The Proclamation was received by Mr. Morgan and also in attendance were the members of the Downtown Florence Unlimited and the First Friday Committee.

President Jordan made comments regarding Mr. Morgan's contributions to the City of Florence.

Mayor Haddock made comments regarding Congressman Mo Brook's office open house that he attended today.

Mayor Haddock noted that he is starting a weekly e-mail for the community with messages of current events, City programs and City projects. Mayor Haddock further noted that you can register to receive the e-mails on the City's website. Mayor Haddock also noted that he had recently met with the City's Department Heads to review their budgets and finances. Mayor Haddock stated that every department is in good shape.

**Report of Department Heads: None**

**Report of Standing Committee:**

President Jordan, Chairperson of the Finance Committee, noted that at a recent meeting of the Finance Committee, Councilmember Smith asked that the Committee approve funds to pay half the cost of the installation of an HVAC system at Burrell Slater School. President Jordan further noted that the Committee agreed unanimously to approve funds.

**Public Hearing:**

President Jordan noted that this is the date and time advertised for the public hearing regarding the rezoning of 450 Country Club Drive from F-A-R (Flooding Agricultural & Recreational District) to R-B (Residential Business District) as requested by the City of Florence, AL.

Melissa Bailey, Planning Department Director, stated that the Planning Commission voted unanimously to recommend the rezoning of the property.

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and asked Ms. Bailey why was it named a flood district. Ms. Bailey stated that Flooding Agricultural & Recreational District is the full name for that particular zone but that the property is currently zoned for recreational use.

There being no further questions or comments, President Jordan closed the public hearing.

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

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments regarding Regular Agenda Item 12 (d) Resolution to enter into a Contract with the City of Florence, Lauderdale County and Shoals Ambulance, Inc., to perform ambulance services in the City and Lauderdale County, sponsored by George Grabryan and Phil Stevenson. Mr. Simpson stated that he preferred Lauderdale EMS who is the current ambulance service for the City of Florence.

**Consent Agenda:**

President Jordan asked for a motion for approval of the Consent Agenda items. Councilmember Smith moved for approval of the ordinances and resolutions as follow, to-wit:

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to rezone 450 Country Club Drive from F-A-R (Flooding Agricultural & Recreational District) to R-B (Residential Business District) as requested by the City of Florence, AL, sponsored by Melissa Bailey. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Edwards moved for adoption of the foregoing Ordinance.

Councilmember Graham seconded the motion.

**Discussion:**

Councilmember Morris made comments in support of the foregoing Ordinance.

Councilmember Morris stated that the rezoning of this property prepares the way for the UNA/Chinese project.

President Jordan stated that the rezoning of this property reinforces our desire for the partnership.

Councilmember Graham stated that this is a win/win situation.

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance authorizing the issuance, sale, delivery and payment of a \$2,000,000 General Obligation Warrant, Series 2013, dated the date of delivery to Regions Bank, sponsored by Bill Musgrove. Said Ordinance follows, to wit:

Councilmember Morris moved for immediate consideration of the foregoing Ordinance.

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Smith moved for adoption of the foregoing Ordinance. Councilmember Graham seconded the motion.

**Discussion:**

Councilmember Morris noted that the purpose of this General Obligation Warrant is to build a new Florence/Lauderdale Tourism office in McFarland Park.

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to declare property located on Marietta Street as surplus property and authorize and approve the sale and conveyance of the property for the sum of \$188.27, to Aubrey P. Richardson, Jr., sponsored by Bill Musgrove. 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: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Smith moved for adoption of the foregoing Ordinance. Councilmember Graham seconded the motion.

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to enter into a Contract with the City of Florence, Lauderdale County and Shoals Ambulance, Inc., to perform ambulance services in the City and Lauderdale County, sponsored by George Grabryan and Phil Stevenson. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Graham 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: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde presented a Resolution to appropriate \$14,359.62 to the Florence City School Board for the sole purpose of paying half the cost of the installation of an HVAC system at Burrell Slater School, to be paid from the One Cent Sales Tax Capital Fund, sponsored by Councilmember Dave Smith. Said Resolution follows, to wit:

Councilmember Smith moved for immediate consideration of the foregoing Resolution.

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing Resolution.

Councilmember Betterton seconded the motion.

**Discussion:**

Councilmember Betterton noted that this appropriation will allow this facility to be used more during warm weather and that this is money well spent.

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to annex approximately 65 acres at the intersection of Gresham Road and Seville Street, north of Gresham Road and south of Plantation Springs subdivision, sponsored by Mayor Haddock. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Edwards 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: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for the operation of a Full-Menu Restaurant with On-Premises Liquor, Beer & Wine by HUI NING INC., d/b/a HIBACHI STEAKHOUSE & SUSHI, located at 125 COX CREEK PARKWAY SOUTH, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Smith moved for immediate consideration of the foregoing Resolution.

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

Ayes: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Morris 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: Dave Smith  
William D. Jordan  
Hermon T. Graham  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

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

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Agri-Business Center	Vacant		
Civil Service Board	Lindsey Davis	05/04/04	04/13
Housing & Construction Appeals Board	Fitzgerald Hill	09/06/05	09/30/11
	Jack Reid	09/06/05	09/30/12
	William T. Wynne	09/06/05	09/30/11
	Thomas G. Pigg	09/06/05	09/30/11
Regional Library Board	Drucilla Gambrell	05/05/98	01/28/13

President Jordan asked for a motion for approval of the reappointment of Lindsey Davis to the Civil Service Board. Councilmember Betterton moved for approval of the reappointment of Ms Davis. Councilmember Graham seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

Ayes: Dave Smith  
Hermon T. Graham  
William D. Jordan  
Barry Morris  
Blake Edwards  
Andrew Betterton

Noes: None

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

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments regarding ECM Hospital building a new facility. Mr. Simpson stated that he is concerned about the citizens of our City and that he does not believe that the City needs a hospital that large.

Mr. Randy Chapin, 2320 Houston Street, appeared and noted that the Aircraft Phantom plane was delivered and is now on display in Veterans Park.

**Council Reports and/or Comments:**

Councilmember Morris congratulated Mr. Van Morgan. Councilmember Morris further noted that he is excited about all the new projects such as the new hospital, Navistar and the UNA/Chinese project.

Councilmember Edwards also congratulated Mr. Morgan. Councilmember Edwards made note of several events that will be taking place in the next couple weeks.

Councilmember Betterton thanked President Jordan for his leadership and also thanked Mr.

Chapin for his hard work.

Councilmember Smith also thanked Mr. Chapin for his hard work and the Finance Committee along with the City Council for passing the resolution to air condition Burrell-Slater Gym. Councilmember Smith also reminded everyone of the District 1 Community meeting on February 28 at 5:30 p.m. at the W. C. Handy gym.

Councilmember Graham stated that he is in full support of the proposed hospital and that he believes the new hospital will move this City forward. Councilmember Graham also thanked Mr. Morgan for all of his hard work. Councilmember Graham asked that everyone keep Mr. Grady Liles in their prayers regarding his recent decline in health.

President Jordan noted that there will be a DFU meeting tomorrow in the City Auditorium at 8:00 a.m.

Councilmember Graham further noted that UNA is having a softball tournament at the Sportsplex this coming weekend.

Councilmember Smith presented the closing prayer.

There being no further business the meeting was adjourned.

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ATTEST:

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CITY CLERK





