

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
March 5, 2013
Youth In Government Day**

The regular meeting of the City Council of the City of Florence, Alabama, was held in the City Hall Auditorium in Florence at 10:00 a.m., on Tuesday, March 5, 2013. President Jordan called the meeting to order. Councilmember Graham 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.

AGENDA

**CITY OF FLORENCE, ALABAMA
CITY COUNCIL MEETING**

March 5, 2013

10:00 A.M.

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1. Meeting called to order - President
 2. Invocation - Councilmember Graham
 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: 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 February 19, 2013 Meeting.
- (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 incidentals necessary to remove the existing roofing materials and place a new roof on two buildings at the Gas Department facilities, in the amount of \$4,000.00, to be paid from budgeted funds, Account #390.00, Structures and Improvements, sponsored by Mike Doyle.
- (d) Resolution authorizing the City to enter into a contract with Patterson & Dewar Engineers, Inc., to provide professional engineering services necessary for specific projects as are assigned by the City of Florence Utilities Electricity Department, sponsored by Richard Morrissey.

- (e) Resolution authorizing the City to enter into a contract with White, Lynn, Collins & Associates, Inc., to provide professional civil engineering services necessary for the ATRIP Wood Avenue Project, sponsored by Bill Batson.
 - (f) Resolution authorizing the City to enter into a contract with Chris Mitchell, DBA Chris Mitchell Management Consultants, to provide professional services necessary to perform a cost of service study and a financial forecast and analysis and other services as assigned for the City of Florence Utilities Electricity Department, sponsored by Richard Morrissey.
 - (g) Resolution authorizing the City to enter into a contract with Engineers of the South, LLC, to provide professional civil engineering services necessary for water and wastewater relocations associated with the ATRIP Wood Avenue Project, sponsored by Mike Doyle.
 - (h) Resolution authorizing the City to approve an Amendment to Project Agreement Number 01-00012 with the Alabama Department of Economic and Community Affairs, sponsored by Bill Musgrove.
 - (i) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Haddock.
12. Regular Agenda:
- (a) Ordinance to amend Section 22-91 Code of Florence, Alabama, as amended, sponsored by Mayor Haddock and the Finance Committee..
 - (b) Ordinance to amend Section 22-26 of the Code of Florence, Alabama, as amended, sponsored by Mayor Haddock and the Finance Committee.
 - (c) Ordinance to amend Section 22-71 of the Code of Florence, Alabama, as amended, sponsored by Mayor Haddock and the Finance Committee.
 - (d) Resolution in support of the request of RegionalCare Hospital Partners for a Certificate of Need to build a replacement hospital in the City of Florence, sponsored by Mayor Haddock and City Council.
13. General Business:
- (a) Resolution – Alcohol Beverage License Application for the operation of a Full-Menu Restaurant with On-Premises Liquor, Beer & Wine by SAM’S SPORTS GRILL-FLORENCE, LLC d/b/a SAM’S SPORTS GRILL, located at 339 SEVILLE STREET, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
 - (b) Resolution – Alcohol Beverage License Application for the operation of a Full-Menu Restaurant with On-Premises Liquor, Beer & Wine by DALE’S RESTAURANT - FLORENCE, LLC, d/b/a DALES RESTAURANT, located at 1001 MITCHELL BOULEVARD, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
 - (c) Resolution – Alcohol Beverage License Application for the operation of a Full-Menu Restaurant with On-Premises Liquor, Beer & Wine by RIVER BOTTOM GRILLE, INC., d/b/a RIVER BOTTOM GRILLE, located at 1050 CLAYBORN LILES DRIVE, FLORENCE, AL 35630, sponsored by Robert M. Leyde.

(d) 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
Port Authority	Vacancy		
Regional Library Board	Drucilla Gambrell	05/05/98	01/28/13

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

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

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

16. Motion to Adjourn.

President Jordan asked for a motion for approval of the agenda. Councilmember Betterton moved for approval of the agenda. Councilmember Smith 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 presented a Proclamation designating the week of April 21-27, 2013 as "Parental Alienation Awareness". This Proclamation was received by Mr. Jeremy Christopher, Alabama Family Rights Association.

Mayor Haddock welcomed the students in attendance for "Youth-In-Government" Day.

Mayor Haddock noted that students from local high schools get the opportunity to learn about their government first hand and shadow a City official throughout his or her daily activities. Mayor Haddock further noted that "Youth-In-Government" Day is sponsored by the Florence Exchange Club.

Mayor Haddock reminded everyone to sign up for the City's weekly e-mail blast with messages on current events, City programs, and City projects. Mayor Haddock stated that anyone interested in receiving these messages can sign up online at www.florenceal.org or by calling his office.

Mayor Haddock made comments regarding the proposed increase of garbage rates that are on today's agenda. Mayor Haddock stated that these increases are necessary to balance the Solid Waste/Recycle Budget and that has not had a rate increase in eleven years. Mayor Haddock further stated that we are currently depleting our reserves by one million dollars a year. Mayor Haddock stated that there has been much research and forethought regarding this matter.

Mayor Haddock noted that our sales tax has increased by 10.2% over a seventeen month period. Mayor Haddock further noted that from a financial standpoint and many other standpoints, our City is very healthy.

Report of Department Heads: None

Report of Standing Committee:

President Jordan, Chairperson of the Finance Committee, stated that the Finance Committee met and discussed in great length the garbage rate increases. President Jordan further stated that the Finance Committee agreed unanimously to support the increases.

Public Hearing: None

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

Mr. Bill Smoak, 2424 Roberts Lane, appeared and made Regular Agenda Item 12 (a) Ordinance to amend Section 22-91 Code of Florence, Alabama, 12 (b) Ordinance to amend Section 22-26 of the Code of Florence, Alabama, and 12 (c) Ordinance to amend Section 22-71 of the Code of Florence, Alabama, regarding the increase of commercial and residential garbage rates. Mr. Smoak noted that there was not enough information on the agenda regarding these ordinances. Mr. Smoak stated that according to a recent TimesDaily Newspaper article, the City is good financial shape and an increase should not be needed.

Mr. Smoak also made comments regarding Regular Agenda Item 12 (d) Resolution in support of the request of RegionalCare Hospital Partners for a Certificate of Need to build a replacement hospital in the City of Florence.

President Jordan made general comments regarding the General Fund, Electricity, Water/Wastewater/ Gas and Solid Waste & Recycling budgets. President Jordan stated that the City of Florence operates the General Fund Budget through sales tax revenues and ad valorem tax. President Jordan stated that Solid Waste/Recycling Budget is operated by garbage rates both residential and commercial. President Jordan stated that these budgets are independent of each other. President Jordan further noted that the City borrowed two million dollars from the Solid Waste fund to purchase the former Florence Golf & Country Club property and if this property is sold the fund will be repaid.

Consent Agenda:

President Jordan 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 Betterton 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 amend Section 22-91 Code of Florence, Alabama, as amended, sponsored by Mayor Haddock and the Finance Committee. 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 Morris moved for adoption of the foregoing Ordinance. Councilmember Smith seconded the motion.

Discussion:

Councilmember Morris noted that there is a typo on the agendas regarding Item B. Councilmember Morris further noted that the correct amount in Item B is twenty-three dollars.

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

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

Noes: Hermon T. Graham

City Clerk, Robert M. Leyde, presented an Ordinance to amend Section 22-26 of the Code of Florence, Alabama, as amended, sponsored by Mayor Haddock and the Finance Committee.

Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

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 Morris moved for adoption of the foregoing Ordinance. Councilmember Jordan seconded the motion.

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

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

Noes: Hermon T. Graham

City Clerk, Robert M. Leyde, presented an Ordinance to amend Section 22-71 of the Code of Florence, Alabama, as amended, sponsored by Mayor Haddock and the Finance Committee.

Said Ordinance follows, to wit:

Councilmember Smith 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 Betterton moved for adoption of the foregoing Ordinance.

Councilmember Morris seconded the motion.

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

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

Noes: Hermon T. Graham

City Clerk, Robert M. Leyde, presented a Resolution in support of the request of RegionalCare Hospital Partners for a Certificate of Need to build a replacement hospital in the City of Florence, sponsored by Mayor Haddock and City Council. Said Resolution follows, to wit:

Councilmember Betterton 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 expressed his appreciation to the Mayor and Council for supporting this resolution.

Councilmember Graham made comments in support of the proposed resolution.

Councilmember Graham stated that a new hospital would have a positive impact, not only our City, but the entire Shoals area.

President Jordan made comments in support of the proposed resolution. President Jordan stated that this resolution shows that the City is in full support of a new hospital.

Councilmember Morris made comments in support of the proposed resolution.

Councilmember Morris stated that the new proposed hospital will have a huge economic impact on our City.

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 – Alcohol Beverage License Application for the operation of a Full-Menu Restaurant with On-Premises Liquor, Beer & Wine by SAM'S SPORTS GRILL-FLORENCE, LLC d/b/a SAM'S SPORTS GRILL, located at 339 SEVILLE STREET, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Graham moved for immediate consideration of the foregoing Resolution.

Councilmember Jordan 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

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 DALE’S RESTAURANT - FLORENCE, LLC, d/b/a DALES RESTAURANT, located at 1001 MITCHELL BOULEVARD, 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 Smith seconded the motion.

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 – Alcohol Beverage License Application for the operation of a Full-Menu Restaurant with On-Premises Liquor, Beer & Wine by RIVER BOTTOM GRILLE, INC., d/b/a RIVER BOTTOM GRILLE, located at 1050 CLAYBORN LILES DRIVE, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit

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

Discussion:

Councilmember Betterton made comments regarding this new restaurant adjacent to McFarland Park. Councilmember Betterton stated that this new restaurant will have a great impact on the 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

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 Jack Reid William T. Wynne Thomas G. Pigg	09/06/05 09/06/05 09/06/05 09/06/05	09/30/11 09/30/12 09/30/11 09/30/11
Port Authority	Vacancy		
Regional Library Board	Drucilla Gambrell	05/05/98	01/28/13

Business from the Public (5-minute time limit): None

Council Reports and/or Comments:

Councilmember Edwards thanked the Exchange Club for sponsoring “Youth In Government” Day.

Councilmember Edwards made comments regarding the garbage rate increases that were approved earlier in the meeting. Councilmember Edwards stated that we must pay for the services that we receive and that the Solid Waste Department is very important to our City. Councilmember Edwards further stated that hopefully we will not need to increase rates again for another ten years.

Councilmember Edwards made comments regarding the proposed hospital. Councilmember Edwards stated that the new hospital is vital for our area.

Councilmember Betterton welcomed the students in attendance. Councilmember Betterton noted that he had visited Harlan School earlier today to join them in celebrating “National School Breakfast Week”

Councilmember Smith also welcomed the students to “Youth In Government” Day. Councilmember Smith stated that education is important and that you should strive to be all that you can be.

Councilmember Graham also recognized the Exchange Club for sponsoring “Youth In Government” Day. Councilmember Graham commented on Mr. Grady Liles’ death since the last City Council meeting.

Councilmember Morris made comments regarding Mr. Smoak’s remarks concerning the City Council agendas. Councilmember Morris noted that you can go to the City’s web-site to read

more in depth information regarding each item on the agenda.

Councilmember Morris also thanked the Exchange Club and welcomed the students to
“Youth In Government” Day.

President Jordan thanked the Exchange Club and Department Heads for their participation
in “Youth In Government” Day.

President Jordan presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK