

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
April 16, 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, April 16, 2013. President Jordan called the meeting to order. Chief Ron Tyler gave the invocation and led in the Pledge of Allegiance. Robert M. Leyde, City Clerk, performed the roll call and noted that five Councilmembers were present and a quorum was present with the following members of the City Council in attendance: Dave Smith, William D. Jordan, Barry Morris, Blake Edwards and Andrew Betterton. Hermon T. Graham was absent.

AMENDED AGENDA
CITY OF FLORENCE, ALABAMA
CITY COUNCIL MEETING
April 16, 2013
5:00 P.M.

1. Meeting called to order - President
2. Invocation - Chief Ron Tyler
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 April 2, 2013 Meeting.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with T. J. Construction, Inc., to provide labor, equipment and incidentals necessary to open cut Monument Drive and install 80 linear feet of 14" steel casing, 2" vent pipe and associated work, in the amount of \$24,125.00, to be paid from budgeted funds for Capital Improvements, sponsored by Mike Doyle.
- (d) Resolution authorizing the City to enter into a contract with White, Lynn, Collins & Associates, Inc., to provide professional services necessary to prepare the engineering design for a 10" gas line extension along Cox Creek Parkway, to be paid according to a fee schedule from budgeted funds Account #376, sponsored by Mike Doyle.

- (e) Resolution authorizing the city to enter into a contract with Parallax Building System, Inc., to provide labor, equipment, materials and incidentals necessary to replace the Lawrence Avenue Sewer, in the amount of \$194,100.00, to be paid from Department's Reserve Funds, sponsored by Mike Doyle.
- (f) Resolution to approve an application for the Drinking Water State Revolving Fund (DWSRF) Loan Program through the Alabama Department of Environmental Management (ADEM), sponsored by Mike Doyle.
- (g) Resolution authorizing the City to enter into a contract with Asah Pery, DBA AWP Roofing, to provide labor, equipment, materials and incidentals necessary to remove all caulking from the roof, reglet and windows and repairs to the flashings and coping cap at the Rosenbaum House, in the amount of \$2,175.00, to be paid from budgeted funds Account #266-43600, sponsored by Todd Nix.
- (h) Resolution authorizing the City to enter into a contract with ChemPro Services, Inc., to provide labor, equipment, materials and incidentals necessary for a Vegetation Management Program for the Florence Utilities Department, in the amount of \$14,835.00, to be paid from budgeted funds in maintenance account #570.00 Maintenance of Station Equipment, sponsored by Richard Morrissey.
- (i) Resolution authorizing the City to enter into a contract with Steve M. Jones, DBA Jones Construction & Excavation, to provide labor, equipment, materials and incidentals necessary for site grading for the electrical substation to be built on Alabama Road 65 in Lexington, Alabama, in the amount of \$7,565.62, \$3.75/cu.yd. for removal of undesirable dirt and \$5.75/cu.yd. to bring in dirt from offsite, to be paid from budgeted funds in capital account #350.00 Land and Land Rights, sponsored by Richard Morrissey.
- (j) Resolution authorizing the city to enter into a Regional Training Center Agreement with the Alabama Fire College and Personnel Standards Commission, sponsored by Charles Cochran.
- (k) Resolution to appoint Scott Morris to the Civil Service Board, sponsored by Dick Jordan, Blake Edwards, and Andy Betterton. **(This item was moved to the Regular Agenda, Item 12 (d))**
- (l) Resolution to reappoint Drucilla Grambrell to the Florence-Lauderdale County Regional Library Board, sponsored by the City Council.
- (m) Resolution to advance and reimburse Travel Expenses to City employees, sponsored by Mayor Haddock.

12. Regular Agenda:

- (a) Resolution to approve Purchasing Policies and Procedures for the City of Florence, sponsored by Phil Stevenson.
- (b) Resolution to approve a contract between the City of Florence and the Shoals Scholar Dollars Foundation for the appropriation in the amount of \$5,000.00 sponsored by Mayor Haddock, President Jordan and Councilmember Betterton. **(This item was added to the Regular Agenda)**
- (c) Ordinance to lease a 49 square foot section of Room B37 of the E-911 Office in the basement of City Hall, located at 110 West College Street, at a cost of \$465.00 per year to Shoals Ambulance Service commencing on May 1, 2013, and ending on April 30, 2014, sponsored by George Grabryan. **(This item was added to the Regular Agenda)**
- (d) Resolution to appoint Scott Morris to the Civil Service Board, sponsored by Dick Jordan, Blake Edwards, and Andy Betterton. **(This item was moved from the Consent Agenda, Item 11 (k))**

13. General Business:

- (a) Resolution – Alcohol Beverage License Application for the operation of an Automobile Self-Service Station & Convenience Foods with Off-Premises Beer & WINE by STEVEN D. MODAS, JR., d/b/a LIL’ STEVES #4, located at 2804 CLOVERDALE ROAD, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (b) Resolution – Alcohol Beverage License Application for the operation of a Wholesale Beer & Wine Distributorship by INTERNATIONAL WINES, INC., d/b/a INTERNATIONAL WINES, INC. located at 301 SNOW DRIVE, BIRMINGHAM, AL 35209, 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>Expires</u> |
|----------------------|---------------|------------------|----------------|
| Agri-Business Center | Vacant | | |
| Beautification Board | 2 Vacancies | | |
| Civil Service Board | Vacancy | | 04/15 |
| Riverbend Center | Vacancy | 05/15/01 | 04/01/13 |
| Zoning Adjustments | Sandy Nolan | 08/21/07 | 05/17/13 |

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

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

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

16. Motion to Adjourn.

President Jordan noted that it was decided at the earlier work session today to add the following items to tonight’s agenda, Regular Agenda Item 12 (b) Resolution to approve a contract between the City of Florence and the Shoals Scholar Dollars Foundation for the appropriation in the amount of \$5,000.00 sponsored by Mayor Haddock, President Jordan and Councilmember Betterton and Regular Agenda Item 12 (c) Ordinance to lease a 49 square foot section of Room B37 of the E-911 Office in the basement of City Hall, located at 110 West College Street, at a cost of \$465.00 per year to Shoals Ambulance Service commencing on May 1, 2013, and ending on April 30, 2014, sponsored by George Grabryan. President Jordan further noted that Consent Agenda Item 11 (k) Resolution to appoint Scott Morris to the Civil Service Board, sponsored by Dick Jordan, Blake Edwards, and Andy Betterton was moved to Regular Agenda Item 12 (d).

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 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's comments follow, to wit:

Report of Department Heads:

Police Chief Ron Tyler made comments regarding a recorded police pursuit that was posted on the department's face book page and has received 3.2 million hits on You-Tube. Chief Tyler also made comments regarding the department's canine unit. Chief Tyler stated that in a recent competition, the canine teams won several awards.

Police Chief Ron Tyler issue the oath of office to Julian Tyree, Monty Peterson and John Bird.

Report of Standing Committee:

President Jordan, Chairperson of the Finance Committee, made comments regarding a recent Finance Committee meeting. President Jordan noted that those in attendance were Councilmember Edwards, Councilmember Morris, Dr. Cale, President of the University of North Alabama, along with UNA Trustees, Joel Anderson and Ronald Howard. President Jordan also noted that Robert Palmer, TimesDaily reporter was also in attendance. President Jordan stated that President Cale requested that the City donate 3.2 million dollars for the construction of a new science and tech building. President Jordan further stated that the Finance Committee voted unanimously to recommend to the City Council to approve appropriating 3.2 million dollars to the University.

Public Hearing: None

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 the alcohol beverage applications on tonight's agenda. Mr. Simpson stated that he would like to see more control regarding the sale of alcohol to minors. Mr. Simpson further stated that he would like to know how the minors are getting alcohol. Mr. Simpson stated that law enforcement should investigate who is supplying the minors with alcohol.

Mr. Justin Michael, 215 Birch Terrace, appeared and stated that he has not received a call regarding recycling carts.

Consent Agenda:

President Jordan 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 Edwards seconded the motion. There being no discussion, a vote taken thereon resulted as follows:

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

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution to approve Purchasing Policies and Procedures for the City of Florence, sponsored by Phil Stevenson. Said Resolution follows, to wit:

Councilmember Edwards moved for immediate consideration of the foregoing Resolution.

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

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

Noes: None

Councilmember Smith moved for adoption of the foregoing Resolution. Councilmember Edwards 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: None

City Clerk, Robert M. Leyde, presented a Resolution to approve a contract between the City of Florence and the Shoals Scholar Dollars Foundation, Inc. for the appropriation in the amount of \$5,000.00. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

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

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

Noes: None

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

Discussion:

Councilmember Morris made comments in opposition to the proposed resolution. Councilmember Morris stated the purpose of the foundation according to their website, is to provide assistance to all local students. Councilmember Morris further stated that this agreement is misleading because it states that the foundation is to assist Florence High School students.

Councilmember Morris asked if other local counties and municipalities have made appropriations.

President Jordan noted that the City of Sheffield approved a contribution at the council meeting last night.

Councilmember Morris asked that the agreement be amended to state that students would receive assistance to attend UNA instead of Northwest Shoals Community College.

President Jordan asked for a motion for approval of the amendment to the agreement.

The amendment did not receive immediate consideration.

Councilmember Betterton made comments in support of the agreement. Councilmember Betterton stated that UNA will benefit because a large number of students will transfer to UNA from Northwest Shoals Community College.

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: None

City Clerk, Robert M. Leyde, presented an Ordinance to lease a 49 square foot section of Room B37 of the E-911 Office in the basement of City Hall, located at 110 West College Street, at a cost of \$465.00 per year to Shoals Ambulance Service commencing on May 1, 2013, and ending on April 30, 2014, sponsored by George Grabryan. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

President Smith seconded the motion. A vote taken thereon resulted as follows:

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

Noes: None

Councilmember Morris moved for adoption of the foregoing Ordinance. Councilmember Edwards 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: None

City Clerk, Robert M. Leyde, presented a Resolution to appoint Scott Morris to the Civil Service Board, sponsored by Dick Jordan, Blake Edwards, and Andy Betterton. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

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

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

Noes: None

Councilmember Smith 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: Dave Smith
William D. Jordan
Blake Edwards
Andrew Betterton

Noes: None

Abstain: Barry Morris

City Clerk, Robert M. Leyde, presented a Resolution – Alcohol Beverage License Application for the operation of an Automobile Self-Service Station & Convenience Foods with Off-Premises Beer & WINE by STEVEN D. MODAS, JR., d/b/a LIL' STEVES #4, located at 2804 CLOVERDALE ROAD, FLORENCE, AL 35630, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Smith 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
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 discussion, a vote taken on the motion resulted as follows:

Ayes: Dave Smith
William D. Jordan
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 Wholesale Beer & Wine Distributorship by INTERNATIONAL WINES, INC., d/b/a INTERNATIONAL WINES, INC. located at 301 SNOW DRIVE, BIRMINGHAM, AL 35209, sponsored by Robert M. Leyde. Said Resolution follows, to wit:

Councilmember Morris moved for immediate consideration of the foregoing Resolution.

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

Ayes: Dave Smith
William D. Jordan
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 discussion, a vote taken on the motion resulted as follows:

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

Noes: None

(c) 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 | | |
| Beautification Board | 2 Vacancies | | |
| Civil Service Board | Vacancy | | 04/15 |
| Riverbend Center | Vacancy | 05/15/01 | 04/01/13 |
| Zoning Adjustments | Sandy Nolan | 08/21/07 | 05/17/13 |

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

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments regarding underage drinking. Mr. Simpson stated that we need to monitor and make sure that those under 21 are not permitted to get alcohol.

Council Reports and/or Comments:

Councilmember Morris welcomed students in attendance tonight.

Councilmember Edwards also welcomed the students in attendance. Councilmember Edwards congratulated the new officers who were sworn in tonight. Councilmember Edwards stated that we are very fortunate to have wonderful employees who work for the City.

Councilmember Edwards made comments regarding the City's Sports Complex. Councilmember Edwards stated that the City is fortunate to have a first class facility.

Councilmember Betterton had no comments.

Councilmember Smith stated that as long as you try, you have not failed.

President Jordan thanked the students for coming tonight.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK