

**CITY OF FLORENCE
MINUTES OF CITY COUNCIL
November 5, 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, November 5, 2013. President Jordan called the meeting to order. City Clerk, Robert M. Leyde 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

November 5, 2013

5:00 P.M.

1. Meeting called to order - President Jordan
2. Invocation - City Clerk, Robert M. Leyde
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 256-760-6400 for questions on Consent Agenda items prior to the Council meeting.

- (a) Approval of minutes of the October 15, 2013 meeting.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution authorizing the City to enter into a contract with Highland Technical Services, Inc., to provide professional services for installation of a new background monitoring well, collection of groundwater samples, laboratory analysis, and produce a report at the Florence Landfill, in the amount of \$23,130.00, to be paid from budgeted funds Account #267-43125, sponsored by David Koonce.

- (d) Resolution authorizing the City to enter into a contract with Johnson Contractors, Inc., to provide labor, equipment, materials and incidentals necessary to remove and replace overhead doors, create a new push wall, remove and replace the dock leveler and associated work at the Florence Recycling Center, in the amount of \$49,400.00, to be paid from budgeted funds #Account 1053-43125, sponsored by David Koonce. **(This item was moved to Regular Agenda Item 12 (e))**
- (e) Resolution authorizing the City to enter into a contract with Keeton Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary to install electrical wiring from the building electrical panel to a gate motor at the Florence Utilities Gas Department, in the amount of \$2,200.00, to be paid from budgeted funds for Structures and Improvements, Account #390.00, sponsored by Mike Doyle. **(This item was moved to Regular Agenda Item 12 (d))**
- (f) Resolution authorizing the City to enter into a contract with T.J. Construction, Inc., to provide labor, equipment, materials and incidentals necessary to construct the 10' H.P. Gas Main Line Extension, Phase 1, in the amount of \$83,655.00, to be paid from budgeted funds Mains Account #376.00, sponsored by Mike Doyle.
- (g) Resolution authorizing the City to enter into a contract with White, Lynn, Collins & Associates, Inc., to provide professional surveying services for the proposed Florence/Lauderdale Government Plaza, in the amount of \$8,600.00, to be paid from 2013 B.G.O. Warrant Funds, sponsored by Mayor Haddock and Council President Jordan.
- (h) Resolution to approve a contract with GovernmentJobs.com, Inc., d/b/a NEOGOV, to provide software and support for a human resources information system for the City employees and applicants, \$8,500.00 to be paid from budgeted funds Account #947-41570 and \$40,185.00 to be paid from budgeted funds Account #268-41570, sponsored by Alanna Sullivan.
- (i) Resolution authorizing the City to engage D & D Case Management/D & D Total Health Solutions, to provide a nurse triage hotline for City employees at a cost of \$80.00 per call, to be paid from the Worker's Compensation Fund Account #256-41570, sponsored by Alanna Sullivan.
- (j) Resolution to approve a Memorandum of Understanding with Homeland Security Investigations for reimbursement of costs incurred by the Florence Police Department, sponsored by Chief Tyler.
- (k) Resolution to approve a contract with Main Street, Inc., in the amount of \$2,500.00, with \$1,250.00 to be paid from the Mayor's Special Projects Account #398-41111 and \$1,250.00 to be paid from the Council's Special Projects Account #398-41112, sponsored by Mayor Haddock and City Council.
- (l) Resolution to approve a contract with Keep the Shoals Beautiful, in the amount of \$2,500.00, with \$1,250.00 to be paid from the Mayor's Special Projects Account #398-41111 and \$1,250.00 to be paid from the Council's Special Projects Account #398-41112, sponsored by Mayor Haddock and City Council.
- (m) Resolution to appropriate \$2,500.00 to the Alabama Cooperative Extension System, to build a community garden, with \$1,250.00 to be paid from the Mayor's Special Projects Account #398-41111 and \$1,250.00 to be paid from the Council's Special Projects Account #398-41112, sponsored by Mayor Haddock and City Council.
- (n) Resolution to reappoint Bryan Miller to the Tree Commission, sponsored by the City Council.
- (o) Resolution to appoint John Norton to the Tree Commission, sponsored by the City Council.

12. Regular Agenda:

- (a) Ordinance to amend Chapter 4 of the Code of Florence, Alabama, to require the purchase of licenses for certain dogs and cats, sponsored by Chief Tyler.

- (b) Resolution documenting the commitment of the Mayor and City Council to retaining the ROTC program at the University of North Alabama, sponsored by Mayor Haddock and City Council.
- (c) Resolution to accept and maintain the existing improvements for Bentbrook Subdivision, Lots 1-73 petitioned by Don C. Price, Jr., P. E., sponsored by Bill Batson.
- (d) Resolution authorizing the City to enter into a contract with Keeton Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary to install electrical wiring from the building electrical panel to a gate motor at the Florence Utilities Gas Department, in the amount of \$2,200.00, to be paid from budgeted funds for Structures and Improvements, Account #390.00, sponsored by Mike Doyle. **(This item was moved from Consent Agenda Item 11 (e))**
- (e) Resolution authorizing the City to enter into a contract with Johnson Contractors, Inc., to provide labor, equipment, materials and incidentals necessary to remove and replace overhead doors, create a new push wall, remove and replace the dock leveler and associated work at the Florence Recycling Center, in the amount of \$49,400.00, to be paid from budgeted funds #Account 1053-43125, sponsored by David Koonce. **(This item was moved from Consent Agenda Item 11 (d))**

13. General Business:

- (a) Resolution- Alcohol Beverage License Application for the operation of an Art Gallery with On-Premises Beer & Wine by HIGHER GROUND ENERGY SOLUTIONS, INC., d/b/a Rogers & Rogers Purveyors of Fine Art, located at 212 NORTH COURT STREET, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (b) Resolution – Alcohol Beverage License Application for the operation of a Grocery Store with Off-Premises Beer & Wine by JMBL INC., d/b/a Foodland #118, located at 990 COX CREEK PARKWAY, 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 OTR ENTERPRISES, LLC., d/b/a The Pie Factory, located at 106-108 NORTH COURT STREET, 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		
Beautification Board	Dee Hubbert	07/17/01	11/01/13
	Eva Scull	05/20/08	11/01/13
	4- Vacancies		
Housing & Construction Codes Appeal Board	E. B. Norton	09/06/05	09/30/13
	Jason B. Lenz	09/06/05	09/30/13
Parks and Recreation	Randy Chapin	12/19/06	10/30/13
	Rick Collins	02/02/93	10/30/13
Regional Library Board	Vacant		
Scope 310	Reginald Owens	04/03/01	07/21/13
	Karen Kennedy	12/07/10	07/21/13

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 Jordan
Councilmember Graham

16. Motion to Adjourn.

President Jordan noted that it was decided at the earlier work session today to move Consent Agenda Item 11 (e) Resolution authorizing the City to enter into a contract with Keeton Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary to install electrical wiring from the building electrical panel to a gate motor at the Florence Utilities Gas Department, in the amount of \$2,200.00, to be paid from budgeted funds for Structures and Improvements, Account #390.00, sponsored by Mike Doyle to Regular Agenda Item 12 (d) and to move Consent Agenda Item 11 (d) Resolution authorizing the City to enter into a contract with Johnson Contractors, Inc., to provide labor, equipment, materials and incidentals necessary to remove and replace overhead doors, create a new push wall, remove and replace the dock leveler and associated work at the Florence Recycling Center, in the amount of \$49,400.00, to be paid from budgeted funds #Account 1053-43125, sponsored by David Koonce to Regular Agenda Item 12 (e).

There being no further changes, President Jordan asked for a motion for approval of the amended agenda. Councilmember Smith moved for approval of the amended agenda. Councilmember Betterton 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's comments follow, to wit:

Report of Department Heads: None

Report of Standing Committee: None

Public Hearing: None

Business from the Floor Pertaining to Items on the Consent or Regular Agenda: None

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 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 amend Chapter 4 of the Code of Florence, Alabama, to require the purchase of licenses for certain dogs and cats, sponsored by Chief Tyler. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Ordinance.

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 Ordinance. Councilmember Smith seconded the motion.

Discussion:

Councilmember Morris made comments in opposition to the proposed ordinance. Councilmember Morris stated that this proposed ordinance is a punitive tax on the responsible pet owners.

Councilmember Edwards also made comments in opposition to the proposed ordinance. Councilmember Edwards stated that he does not feel that this ordinance can be enforced but that he does understand the need for spaying and neutering.

Councilmember Graham made comments in favor of the proposed ordinance. Councilmember Graham stated that he believes it is fair to have pet owners share in the cost.

President Jordan made comments in favor of the proposed ordinance. President Jordan stated that there are more to this issue than economics, it is a humane issue.

Councilmember Morris further stated that there is no evidence that this "tax" will accomplish its proposed effect.

Councilmember Edwards asked what do area veterinarians think about this ordinance.

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

Ayes: Dave Smith
William D. Jordan
Hermon T. Graham
Andrew Betterton

Noes: Barry Morris
Blake Edwards

City Clerk, Robert M. Leyde, presented a Resolution documenting the commitment of the Mayor and City Council to retaining the ROTC program at the University of North Alabama, sponsored by Mayor Haddock and City Council. Said Resolution follows, to wit:

Councilmember Morris 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
Hermon T. Graham
Barry Morris
Blake Edwards
Andrew Betterton

Noes: None

Councilmember Graham moved for adoption of the foregoing Resolution. Councilmember Edwards seconded the motion.

Discussion:

Councilmember Betterton made comments in favor of the proposed resolution. Councilmember Betterton stated that everyone should walk thru the Amphitheater at UNA to see the impact of the ROTC.

Councilmember Graham thanked everyone who was involved in preparing this resolution.

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 accept and maintain the existing improvements for Bentbrook Subdivision, Lots 1-73 petitioned by Don C. Price, Jr., P. E., sponsored by Bill Batson. Said Resolution follows, to wit:

Councilmember Edwards 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 Edwards 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 authorizing the City to enter into a contract with Keeton Electric Company, Inc., to provide labor, equipment, materials and incidentals necessary to install electrical wiring from the building electrical panel to a gate motor at the Florence Utilities Gas Department, in the amount of \$2,200.00, to be paid from budgeted funds for Structures and Improvements, Account #390.00, sponsored by Mike Doyle. Said Resolution follows, to wit:

Councilmember Edwards 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 Edwards 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

Noes: None

Abstain: Andrew Betterton

City Clerk, Robert M. Leyde, presented a Resolution authorizing the City to enter into a contract with Johnson Contractors, Inc., to provide labor, equipment, materials and incidentals necessary to remove and replace overhead doors, create a new push wall, remove and replace the dock leveler and associated work at the Florence Recycling Center, in the amount of \$49,400.00, to be paid from budgeted funds #Account 1053-43125, sponsored by David Koonce. 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 Betterton moved for adoption of the foregoing Resolution. Councilmember Graham seconded the motion.

Discussion:

Councilmember Morris made comments in opposition to the proposed resolution. Councilmember Morris stated that this contract is throwing away good money.

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

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

Noes: Barry Morris

City Clerk, Robert M. Leyde, presented a Resolution- Alcohol Beverage License Application for the operation of an Art Gallery with On-Premises Beer & Wine by HIGHER GROUND ENERGY SOLUTIONS, INC., d/b/a/ Rogers & Rogers Purveyors of Fine Art, located at 212 NORTH COURT STREET, FLORENCE, AL 35630, sponsored by Robert M. Leyde. 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
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.

Discussion:

President Jordan noted that the Council has the final say regarding alcohol licenses.

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 Grocery Store with Off-Premises Beer & Wine by JMBL INC.,d/b/a/ Foodland #118, located at 990 COX CREEK PARKWAY, FLORENCE, AL 35630, sponsored by Robert Leyde. Said Resolution follows, to wit:

Councilmember Graham 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
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 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 OTR ENTERPRISES, LLC.,d/b/a The Pie Factory, located at 106-108 NORTH COURT STREET, FLORENCE, AL 35630, sponsored by Robert M. Leyde. 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 Smith 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

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	Dee Hubbert	07/17/01	11/01/13
	Eva Scull	05/20/08	11/01/13
	4- Vacancies		
Housing & Construction Codes Appeal Board	E. B. Norton	09/06/05	09/30/13
	Jason B. Lenz	09/06/05	09/30/13
Parks and Recreation	Randy Chapin	12/19/06	10/30/13
	Rick Collins	02/02/93	10/30/13
Regional Library Board	Vacant		
Scope 310	Reginald Owens	04/03/01	07/21/13
	Karen Kennedy	12/07/10	07/21/13

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

Mr. Jim Hunt, 591 County Road 118, appeared and made comments in support of building a new Senior Center. Mr. Hunt stated that the people who attend the Senior Center are like family.

Mr. Winford Lures, appeared and made comments regarding the pet licensing ordinance. Mr. Lures stated that Animal Control will get a lot more animals if this ordinance is passed.

Mr. Dennis Barnett, Sandusky Way, appeared and made comments regarding the pet licensing ordinance.

Mr. Mike Jones, 170 Karen Way, appeared made comments in support of building a new Senior Center.

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared made comments in support of a new Senior Center. Mr. Simpson stated that he was going to fight to get the best location for the Senior Center.

Ms. Bessie Turnley, appeared and stated that she would like the City to build a Senior Center that is comparable to the facilities that they are currently using.

Mr. James Barnett, 1837 Maple Avenue, appeared and made comments in support of a new Senior Center. Mr. Barnett stated that this should be the City's first priority.

Mr. John Hargett, 1406 North Wood Avenue, appeared and stated that the City should not build a new Senior Center.

Ms. Anna Broadfoot, 102 East Oakhill Drive, appeared and stated that after Ms. Charlotte Manis' letter to the editor appeared in the Times Daily, she spoke to her and now Ms. Manis has a better understanding of "The Club".

Council Reports and/or Comments:

Councilmember Morris welcomed seniors from "The Club" and also the Boy Scouts that were in attendance. Councilmember Morris encouraged everyone to participate in the cancer study that Mayor Haddock discussed during the Mayor's comments. Councilmember Morris stated that the next best thing to fighting and winning is fighting and losing.

Councilmember Edwards also welcomed seniors from "The Club" and the Boy Scouts to tonight's meeting. Councilmember Edwards thanked the P.A.W.S group and the volunteers at the Animal Shelter for all of their hard work.

Councilmember Betterton also welcomed seniors. Councilmember Betterton made comments regarding "First Fridays" in downtown Florence. Councilmember Betterton stated that this event has become amazing and encouraged everyone to come out and see for themselves.

Councilmember Smith thanked everyone for coming out tonight. Councilmember Smith noted that on Monday, November 11, Veterans Day, there will be a program honoring all Veterans at 11:00

a.m. at Veterans Park.

Councilmember Graham also noted that the guest speaker at the Veterans Day program will be Mr. Edward Yielding. Councilmember Graham encouraged everyone to attend to honor our Veterans.

Councilmember Graham stated that the appropriation to “Keep the Shoals Beautiful” is money well spent. Councilmember Graham further stated that the District 3 Community meeting will be November 14 at 6:00 p.m. at the Broadway Recreation Center.

President Jordan thanked everyone for their attendance to tonight’s meeting.

Councilmember Morris presented the closing prayer.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK

