



**CITY OF FLORENCE  
MINUTES OF CITY COUNCIL  
JULY 11, 2017**

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 Thursday, July 11, 2017. President Jordan called the meeting to order. President Jordan 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: Kaytrina Simmons, William D. Jordan, David Bradley, Michelle Eubanks, Blake Edwards and Andrew Betterton.

**AMENDED AGENDA**

**CITY OF FLORENCE, ALABAMA**

**CITY COUNCIL MEETING**

**July 11, 2017**

**5:00 P.M.**

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1. Meeting called to order - President Jordan
  2. Invocation - President Jordan
  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 June 29, 2017, meeting.
- (b) Confirm payment of bills by the City Treasurer.
- (c) Resolution to approve a Contract for the Provision of Supplemental Police Services between the Florence Housing Authority and the City of Florence, sponsored by Ron Tyler.
- (d) Resolution to approve the Contract between the City of Florence and the Music Preservation Society, Inc., in the amount of \$5,000.00, sponsored by the Mayor and the City Council.

12. Regular Agenda

- (a) Ordinance to approve the sale and conveyance of the property located at 210 Royal Avenue to Russell L. Carbine, in the amount of \$3,280.00, sponsored by Bill Musgrove.
- (b) Ordinance to approve a lease agreement for the property located at 200 West Tennessee Street to One Place of the Shoals, sponsored by Bill Musgrove. **(This item was added to the Regular Agenda)**
- (c) Resolution to settle the claim filed against the City of Florence by Ashley Ann Kelly for an amount not to exceed \$20,000.00, sponsored by Bill Musgrove. **(This item was added to the Regular Agenda)**
- (d) Resolution to approve a plan for the redevelopment of Veterans' Park including the construction of a tennis facility complex, sponsored by Bill Musgrove. **(This item was added to the Regular Agenda)**
- (e) Ordinance authorizing the City to levy a lodging tax at the rate of five percent (5%), sponsored by Bill Musgrove. **(This item was added to the Regular Agenda)**

13. General Business:

- (a) Resolution - Alcohol Beverage License Application for a Full-Menu Restaurant with On-Premises Beer & Wine by ZHSNY INC, d/b/a MONGOLIAN GRILL HIBACHI, located at 121 and 125 COX CREEK PARKWAY, FLORENCE, AL 35630, sponsored by Robert M. Leyde.
- (b) Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Agri-Business	Vacancy		
Port Authority	Dick Smith	07/17/12	07/21/17
SCOPE 310	Vacancy		
	Josh Webster	08/21/12	07/21/15
	Reginald Owens	04/01/14	07/21/16

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

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

- Council member Betterton
- Council member Simmons
- Council member Bradley
- Council member Eubanks
- Council member Edwards
- Council member Jordan

16. Motion to Adjourn.

President Jordan noted that it was decided at the earlier work session to add the following items to the Regular Agenda:

- 12. (b) Ordinance to approve a lease agreement for the property located at 200 West Tennessee Street to One Place of the Shoals, sponsored by Bill Musgrove.
- (c) Resolution to settle the claim filed against the City of Florence by Ashley Ann Kelly for an amount not to exceed \$20,000.00, sponsored by Bill Musgrove.
- (d) Resolution to approve a plan for the redevelopment of Veterans' Park including the construction of a tennis facility complex, sponsored by Bill Musgrove.

- (e) Ordinance authorizing the City to levy a lodging tax at the rate of five percent (5%), sponsored by Bill Musgrove.

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 Simmons seconded the motion.

There being no discussion, a vote taken thereon resulted as follows:

Ayes: Kaytrina Simmons  
William D. Jordan  
David Bradley  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

**Message from the Mayor:**

Mayor Holt made comments regarding the success of the 4<sup>th</sup> of July Celebration that was held in McFarland Park. Mayor Holt thanked Radio Station Kiss 102.7 FM for their support. Mayor Holt also thanked the City departments that were involved in the Celebration and also the “Iron Man” triathlon that was held this past weekend.

Mayor Holt noted that World Changers is in the City this week doing repairs on residential homes and some City property. Mayor Holt further noted that the Beautification Board will hold their annual luncheon and award ceremonies tomorrow.

**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:**

Dr. Barry Morris' comments follow, to wit:

Mr. Don Holmes, made comments, follow, to wit:

Ms. Dianne Howard, incoming President of the Alabama Tennis Association, appeared and made comments in favor of Regular Agenda Item 12 (d) Resolution to approve a plan for the redevelopment of Veterans' Park including the construction of a tennis facility complex, sponsored by Bill Musgrove. Ms. Howard stated that an organization, Northwest Alabama Tennis Association, has been formed to introduce tennis to children. Ms. Howard further stated that this Association is a nonprofit organization that will be able to conduct free tennis clinics. Ms. Howard stated that we need a facility so more kids can come and learn. Ms. Howard stated that this facility will bring a new sport to North Alabama.

Mr. Hiran Patel, 115 Ana Drive, appeared and made comments in opposition to Regular Agenda Item 12 (d) Resolution to approve a plan for the redevelopment of Veterans' Park including the construction of a tennis facility complex, sponsored by Bill Musgrove and Item 12 (e) Ordinance authorizing the City to levy a lodging tax at the rate of five percent (5%), sponsored by Bill Musgrove. Mr. Patel stated that he is in the hotel industry and he is opposed to the tennis complex being developed by increasing the lodging tax in Florence by 5%. Mr. Patel further stated that the hoteliers in Florence are being discriminated against. Mr. Patel stated that the Council should increase the sales tax instead. Mr. Patel further stated that this facility will only benefit the Marriott Hotel. Mr. Patel stated that the tennis facility will not help the local hotels. Mr. Patel further stated that when lodging tax increases, the local hotels will lose customers. Mr. Patel stated that the eleven local hotels are opposed to the increase in lodging tax. Mr. Patel further stated that these eleven hotel owners have families and are trying to make a life for their families. Mr. Patel stated that the City needs to look at other ways of funding this facility.

Mr. Baldev Bhakta, Florence, AL, appeared and made comments in opposition to Regular Agenda Item 12 (e) Ordinance authorizing the City to levy a lodging tax at the rate of five percent (5%), sponsored by Bill Musgrove. Mr. Bhakta stated that if the increase is approved, Florence will have the highest lodging tax rate of all the surrounding cities.

Mr. Randy Parrish, 302 North Weakley Street, appeared and made comments in opposition to Regular Agenda Item 12 (d) Resolution to approve a plan for the redevelopment of Veterans' Park including the construction of a tennis facility complex, sponsored by Bill Musgrove. Mr. Parrish stated that this is a public park and that he would like to see the entire park renovated. Mr. Parrish asked the City Council not to burden the taxpayers with the cost of building this facility. Mr. Parrish stated that he is concerned that once the tennis facility is completed, the rest of the park will not be renovated.

Mr. Amata Bhakta, 3625 Lockman Road, Killen, AL, appeared and made comments in opposition to Regular Agenda Item 12 (e) Ordinance authorizing the City to levy a lodging tax at the rate of five percent (5%), sponsored by Bill Musgrove. Mr. Bhakta further stated that tennis tournaments will be held ten days a year. Mr. Bhakta stated that he is concerned about his business the remaining days of the year without tennis tournaments. Mr. Bhakta stated that customers will go across the river to stay.

Mr. Otis Williams, 18 Chilton Avenue, appeared and made comments in opposition to Regular Agenda Item 12 (d) Resolution to approve a plan for the redevelopment of Veterans' Park including the construction of a tennis facility complex, sponsored by Bill Musgrove and Item 12 (e) Ordinance authorizing the City to levy a lodging tax at the rate of five percent (5%), sponsored by Bill Musgrove. Mr. Williams stated that Veterans Park is in terrible shape. Mr. Williams further stated that the "Council could not fix the park for Veterans but you can fix it up for tennis". Mr. Williams stated that it is wrong to allow the park to deteriorate but "you will renovate it for a tennis facility to be used only in the summer months".

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments in opposition to Regular Agenda Item 12 (d) Resolution to approve a plan for the redevelopment of Veterans' Park including the construction of a tennis facility complex, sponsored by Bill Musgrove. Mr. Simpson stated he is totally against the tennis facility. Mr. Simpson further stated that this facility will benefit the Marriott Hotel but will take money away from the other hotels in Florence.

Ms. Silka Mitchell, 106 Creekwood Drive, appeared and made comments in opposition to Regular Agenda Item 12 (e) Ms. Mitchell questioned the reason that it was decided to increase the lodging tax and not sales tax. Ms. Mitchell stated that 80% percent of local hotels' revenue is corporate, not leisure.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
David Bradley  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to approve the sale and conveyance of the property located at 210 Royal Avenue to Russell L. Carbine, in the amount of \$3,280.00, sponsored by Bill Musgrove. Said Ordinance follows, to wit:

Councilmember Edwards moved for immediate consideration of the foregoing Ordinance.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
David Bradley  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Betterton 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: Kaytrina Simmons  
William D. Jordan  
David Bradley  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented an Ordinance to lease property located at 200 West Tennessee Street to One Place of the Shoals for a term of 40 years beginning on July 12, 2017 and ending on July 11, 2057, as requested by Bill Musgrove. Said Ordinance follows, to wit:

Councilmember Simmons moved for immediate consideration of the foregoing Ordinance.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
David Bradley  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Betterton moved for adoption of the foregoing Ordinance.

Councilmember Simmons seconded the motion.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
David Bradley  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution approving a settlement of a claim filed against the City by Ashley Ann Kelly for an amount not to exceed \$20,000.00. Said Resolution follows, to wit:

Councilmember Simmons moved for immediate consideration of the foregoing Resolution.

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

Ayes: Kaytrina Simmons  
William D. Jordan  
David Bradley  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

Councilmember Edwards 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: Kaytrina Simmons  
William D. Jordan  
David Bradley  
Michelle Eubanks  
Blake Edwards  
Andrew Betterton

Noes: None

City Clerk, Robert M. Leyde, presented a Resolution approving the re-development of Veterans Park. Said Resolution follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

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

Ayes: William D. Jordan  
Andrew Betterton

Noes: Kaytrina Simmons  
David Bradley  
Michelle Eubanks  
Blake Edwards

**The resolution did not receive immediate consideration, therefore it will be presented at the next City Council meeting on July 18, 2017.**

City Clerk, Robert M. Leyde, presented an Ordinance to increase the current lodging tax for the City of Florence, AL, to five percent. Said Ordinance follows, to wit:

Councilmember Betterton moved for immediate consideration of the foregoing Resolution.

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

Ayes: William D. Jordan  
Andrew Betterton

Noes: Kaytrina Simmons  
David Bradley  
Michelle Eubanks  
Blake Edwards

**The resolution did not receive immediate consideration, therefore it will be presented at the next City Council meeting on July 18, 2017.**

Board Openings within the next 90 days or less:

<u>Board</u>	<u>Member</u>	<u>Appointed</u>	<u>Expires</u>
Agri-Business	Vacancy		
Port Authority	Dick Smith	07/17/12	07/21/17
SCOPE 310	Vacancy		
	Josh Webster	08/21/12	07/21/15
	Reginald Owens	04/01/14	07/21/16

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

Ms. Eva Knight, 2810 Walldridge Street, appeared and thanked Councilmember Betterton for speaking to the seniors at “The Club” yesterday.

Mr. Billy Ray Simpson, 755 West Alabama Street, appeared and made comments regarding the people who struggle in our area. Mr. Simpson stated that we need to take care of our people.

**Council Reports and Comments:**

Councilmember Betterton thanked Ms. Knight for her comments regarding his visit to “The Club.”

Councilmember Simmons thanked everyone for their attendance to tonight’s meeting. Councilmember Simmons stated that she will do her due diligence regarding the proposed Veterans Park development.

Councilmember Bradley stated that his focus is to see what we can do to improve Veterans Park. Councilmember Bradley further stated that he will look at the proposed project objectively and with due diligence.

Councilmember Eubanks had no comments.

Councilmember Edwards thanked everyone for their attendance to tonight's meeting.

Councilmember Edwards stated that he does not take his responsibility lightly.

President Jordan stated that the proposed Veterans Park project is more than a tennis project.

President Jordan further stated that it is a quality of life and economic development issue.

Councilmember Edwards presented the closing prayer.

There being no further business the meeting was adjourned.

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ATTEST:

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CITY CLERK