

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
October 1, 2012**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall Auditorium in said City at 6:00 p.m. on the 1<sup>st</sup> day of October, 2012 being the scheduled time and approved place for said meeting. The meeting was called to order by David Bradford, Mayor of the City. The invocation was given by Paul McDougle. On roll call the following members were found to be present or absent, as indicated:

PRESENT: JOE PAMPINTO, NEAL WILLIS, JERRY KNIGHT GRISSOM,  
          JAMES HOLLAND, ALLEN NOLES, DAVID H. BRADFORD  
ABSENT: NONE

David H. Bradford, Mayor of the City, presided at the meeting and declared that a quorum was present and that the meeting was convened and opened for the purposes of transaction of business. Richard Williams, City Clerk, was present and kept the minutes of the meeting.

Mayor Bradford read aloud a proclamation declaring October 7-13, 2012 as "Mental Illness Awareness Week" in the City. Bobby Muse was present to accept the proclamation.

Upon motion duly made by Council Member Holland seconded by Council Member Willis and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of September 17, 2012 and approved the minutes as written.

Mayor Bradford announced that the next item of business was consideration of a resolution to award a bid for coarse aggregates for fiscal year 2012 - 2013.

Council Member Willis introduced the following resolution which was presented in the meeting and moved for its adoption:

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NO. 2576-12**

**BE IT RESOLVED** by the City Council of the City of Muscle Shoals, Alabama, as follows:

[1] That advertisements for bids for the purchase of coarse aggregates for the fiscal year beginning October 1, 2012 were distributed, the bid opening set for the 26<sup>th</sup> day of September, 2012, at the City Hall of the City of Muscle Shoals, Alabama.

[2] **BE IT FURTHER RESOLVED** that at the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

BIDDER	No. 57 / Ton	No. 78 / Ton	Crusher Run	Rip Rap	Dense Graded Base
Rogers Group	\$10.25	\$10.50	\$9.75	\$11.50	\$10.00
Vulcan Materials	\$11.54	\$11.64	\$11.18	\$11.79	\$11.28

[3] **BE IT FURTHER RESOLVED**, that the lowest, responsive, responsible, bidder has been determined as Rogers Group with a bid price of \$10.25 per ton for No. 57 coarse aggregate; \$10.50 per ton for No. 78 coarse aggregate; \$9.75 per ton for crusher run; \$11.50 per ton for rip rap, and \$10.00 per ton for dense graded base.

**NOW, THEREFORE BE IT RESOLVED** that the lowest, responsive and responsible bidder, Rogers Group is now awarded the bid for the purchase of coarse aggregates.

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Council Member Noles seconded the motion upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business was consideration of a resolution to award bids for asphalt for fiscal year 2012 - 2013.

Council Member Noles introduced the following resolution which was presented in the meeting and moved for its adoption:

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NO. 2577-12**

**BE IT RESOLVED** by the City Council of the City of Muscle Shoals, Alabama, as follows:

[1] That advertisements for bids for the purchase of asphalt and binder for the fiscal year beginning October 1, 2012 were distributed, the bid opening set for the 26<sup>th</sup> day of September, 2012, at the City Hall of the City of Muscle Shoals, Alabama.

[2] **BE IT FURTHER RESOLVED**, that at the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

NAME OF BIDDER	424A- 3/8" Asphalt / ton	424A - 1/2" Asphalt / ton	424A- 3/4" Asphalt / ton		424B - 1" Binder/ton
APAC MID-SOUTH, INC.	\$63.25	\$59.95	\$56.05		\$47.25
ROGERS GROUP	\$57.50	\$54.15	\$50.57		\$45.60

[3] **NOW, THEREFORE BE IT FURTHER RESOLVED**, that it has been determined that the lowest, responsive, responsible bidder submitting a bid for all categories of asphalt and binder is Rogers Group.

[4] **NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the bid is hereby awarded to Rogers Group to be designated as the primary vendor, and APAC Mid-South, Inc. shall be awarded and designated as the secondary vendor.

Council Member Pampinto seconded the motion upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business was a public hearing to consider the issuance of a Restaurant Retail Liquor License to Shoals Capital LLC dba The Wing Shack, 1709 Woodward Avenue.

Mayor Bradford noted that proper notice of the date, time and place of said hearing had been given and the matter was before the Council.

Mayor Bradford stated that the Council would hear from those persons in support of the issuance of the license as well as those opposed.

There being no one wishing to speak, Mayor Bradford stated that approval of the license application was before the Council. All those in favor of the application would indicate so by voting aye and those opposed would indicate by voting nay. Upon said question being put to a vote, a roll call was had and the vote recorded as follows:

AYES: Council Member Pampinto, Council Member Grissom, Council Member Holland  
Council Member Noles, Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford announced that the license had been approved.

Mayor Bradford announced that the next item of business was a public hearing to consider the adoption of an Ordinance to amend the Zoning Ordinance and Zoning Map of the City of Muscle Shoals, Alabama. The area being considered for zoning is located at 1207 East Avalon Avenue and is more particularly described as follows:

ORDINANCE NO. \_\_\_\_\_  
AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND THE  
ZONING MAP OF THE CITY OF MUSCLE SHOALS, ALABAMA

Be it ordained by the Council of the City of Muscle Shoals, Alabama, that the Zoning Ordinance and the Zoning Map of the City of Muscle Shoals, are hereby amended as follows:

That the following described area is hereby eliminated from the B-1 District in which it is now situated, and is hereby incorporated in and made a part of the B-2 District, to wit:

Lots 844, 845 & North 12.64 of Lot 846 in Barry's Business Center A & portion  
of Lot R & Vacated Worthington Avenue 104.64 x 108. Colbert County Tax  
Parcel ID 07-07-36-3-002-072.000

Mayor Bradford noted that proper notice of the date, time and place of said hearing had been given and the matter was before the Council.

Mayor Bradford stated that the Council would hear from those persons in support of the rezoning as well as those opposed.

There being no one wishing to speak, Mayor Bradford stated that approval of the ordinance was before the Council. All those in favor of the rezoning would indicate so by voting aye and those opposed would indicate by voting nay. Upon said question being put to a vote, a roll call was had and the vote recorded as follows:

AYES: None

NAYS: Council Member Pampinto, Council Member Grissom, Council Member Holland  
Council Member Noles, Council Member Noles, Mayor Bradford

Mayor Bradford announced that the request for rezoning had been denied.

Mayor Bradford announced that the next item of business was consideration of a resolution to appoint a member to the Recreation Board.

Council Member Noles introduced the following resolution and moved for its adoption:  
STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NUMBER 2578 - 12**

**WHEREAS**, a vacancy on the Recreation Board has occurred and the City Council being desirous of making the necessary appointment to said board;

**WHEREAS**, notice was given to the public of said pending vacancy and applications solicited for a member to said board;

**WHEREAS**, the following individuals made proper application and met the requirements for appointment, are eligible for appointment to fill the pending vacancy:

Alan Griffin

**WHEREAS**, Alan Griffin was the sole applicant for appointment to the board, and

**WHEREAS**, a roll call vote was had by the Mayor and City Council as follows:

Council Member Pampinto: Alan Griffin  
Council Member Willis: Alan Griffin  
Council Member Grissom: Alan Griffin  
Council Member Holland: Alan Griffin  
Council Member Noles: Alan Griffin  
Mayor Bradford: Alan Griffin

**WHEREAS**, Mayor Bradford announced that Alan Griffin had received a majority of the votes cast, now

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Muscle Shoals, Alabama does hereby appoint the following named person to serve as set forth herein:

<u>APPOINTEE</u>	<u>BOARD</u>	<u>EXPIRATION OF TERM</u>
Alan Griffin	Recreation Board	November, 2012

The Clerk is hereby directed to notify the above named person of their appointment and to further notify the respective board of said appointment.

Council Member Pampinto seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Bradford announced that the Resolution had been approved.

There being no further business to come before the meeting, upon the motion duly made, seconded and unanimously carried, the meeting was adjourned.

CITY OF MUSCLE SHOALS, ALABAMA  
a Municipal Corporation

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MAYOR

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COUNCIL MEMBER - PLACE ONE

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COUNCIL MEMBER - PLACE TWO

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COUNCIL MEMBER - PLACE THREE

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COUNCIL MEMBER - PLACE FOUR

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COUNCIL MEMBER - PLACE FIVE

ATTEST:

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CITY CLERK