

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
November 3, 2014**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:45 p.m. on the 3rd day of November, 2014 being the scheduled time and approved place for said meeting. The meeting was called to order by James Holland, President of the Council. The invocation was given by Bill Howard. On roll call the following members were found to be present or absent, as indicated:

PRESENT: JOE PAMPINTO, NEAL WILLIS, JAMES HOLLAND,
MIKE LOCKHART, ALLEN NOLES
ABSENT: NONE

James Holland, President of the Council, 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. Ricky Williams, City Clerk, was present and kept the minutes of the meeting.

Upon motion duly made by Council Member Pampinto 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 October 27, 2014 and approved the minutes as written.

City Clerk Ricky Williams read aloud the Mayor's proclamation declaring November 9 - 15, 2014 as the "Week of the Family" in the city. Carrie Stevens was present to receive the proclamation.

President Holland announced that the next item of business was consideration of a resolution to award a bid for pipe for fiscal year 2014-2015.

Council Member Willis introduced the following resolution and moved for its approval:

STATE OF ALABAMA
COUNTY OF COLBERT

RESOLUTION NO. 2714-14

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

That advertisements for bids for the purchase of various types of construction pipes were distributed, the bid opening set for the 31st day of October, 2014, at the City Hall of the city of Muscle Shoals, Alabama; and

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

| DESCRIPTION | POLYETHYLENE PIPE with SMOOTH INTERIOR | |
|--------------------|---|-----------|
| PIPE SIZE | BIDDER: CONSTRUCTION MATERIALS | |
| | Pipe per Lft | Each Band |
| 12" | \$4.84 | No Bid |
| 15" | \$6.13 | No Bid |
| 18" | \$8.09 | No Bid |
| 24" | \$14.51 | No Bid |
| 30" | \$19.89 | No Bid |
| 36" | \$26.79 | No Bid |
| 42" | \$34.84 | No Bid |
| 48" | \$44.04 | No Bid |

| DESCRIPTION | POLYPROPYLENE PIPE with SMOOTH INTERIOR | |
|--------------------|--|-----------|
| PIPE SIZE | BIDDER: CONSTRUCTION MATERIALS | |
| | Pipe per Lft | Each Band |
| 12" | \$6.84 | No Bid |
| 15" | \$7.71 | No Bid |
| 18" | \$10.21 | No Bid |
| 24" | \$17.02 | No Bid |
| 30" | \$26.70 | No Bid |
| 36" | \$29.79 | No Bid |
| 42" | \$40.43 | No Bid |
| 48" | \$52.02 | No Bid |
| 60" | \$86.17 | No Bid |

BE IT FURTHER RESOLVED, that the solicitation for bids also included concrete pipes, and aluminized metal pipe, and there being no bids submitted in these categories; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the lowest, responsive, responsible bidder has been determined as Construction Materials. The apparent low, responsive and responsible bidder, Construction Materials is now awarded the bid for polyethylene pipe with a smooth interior, and polypropylene pipe with a smooth interior with said bid being awarded for a one-year period ending September 30, 2015; and

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

President Holland announced that the resolution had been approved.

President Holland announced that the next item of business was to set 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. President Holland announced that at a regular meeting of the City Council to be held at the City Hall in said City at 6:00 pm on the 1st day of December, 2014, the Council will consider the adoption of an Ordinance to amend the Zoning Ordinance and Zoning Map of said City, the proposed Ordinance being 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 which is currently zoned R-2 and is hereby incorporated in and made a part of the B-2 District, to wit:

Lots 5266 thru 5271, Highland Park Subdivision #13, 120' x 120'

At said time and place, all persons who desire to do so shall have an opportunity of being heard in opposition to or in favor of the adoption of such Ordinance.

President Holland announced that the next item of business was to set a public hearing to consider the issuance of a Lounge Retail Liquor - Class II (package) license to SHRI Swami Inc. dba Riverside Package Store located at 100 River Road A2.

President Holland announced that at a public hearing to be held at the City Hall in said City at 6:00 p.m. on the 1st day of December, 2014, the Council will consider the issuance of the Lounge Retail Liquor - Class II (package) license. At said time and place, all persons who desire to do so shall have the opportunity of being heard in opposition to or in favor of the approval of such license.

President Holland announced that the next item of business was to consider a resolution to make an appointment to the Colbert County Tourism and Conventions Bureau Board.

Council Member Noles introduced the following resolution and moved for its approval:

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2715 - 14

WHEREAS, the term of a member of the Colbert County Tourism and Conventions Bureau Board has expired and the City Council being desirous of making the necessary appointment to said board within the City;

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

WHEREAS, the following individual made proper application and met the requirements for appointment, is eligible for appointment to fill the pending vacancy:

Anita Crittenden

Shirish Rick Patel

WHEREAS, Anita Crittenden was determined to have received the best overall ranking on the City Council evaluations, and

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

Council Member Pampinto: Anita Crittenden

Council Member Willis: Anita Crittenden

Council Member Lockhart: Anita Crittenden

Council Member Holland: Anita Crittenden

Council Member Noles: Anita Crittenden

WHEREAS, President Holland announced that Anita Crittenden 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> |
|------------------|---------------|---------------------------|
| Anita Crittenden | Tourism Board | October 2017 |

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 Lockhart seconded the motion and upon said motion being put to a vote all voted "AYE" and "NAYS" were none.

President Holland announced that the resolution had been approved.

President Holland announced that the next item of business was to consider a resolution granting a sewer easement to Ron and Stephanie Walker.

Council Member Noles introduced the following resolution and moved for its adoption:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2716-14

WHEREAS, the City Council of the City of Muscle Shoals, Alabama has received and reviewed a request from Ron and Stephanie Walker for the grant of an easement for the expansion and installation and operation and maintenance of a septic tank system over, across and through property owned by the City; and

WHEREAS, the City Council has determined that the grant of the easement will not interfere with current or future use of the property by the City; and

WHEREAS, the City Council finds that certain instruments and related documents may be required in connection with said easement and is desirous of authorizing the execution and delivery of other instruments and related documents to the Walkers in connection with the grant of the easement;

BE IT HEREBY RESOLVED that the City Council of the City of Muscle Shoals does hereby approve the grant of an easement unto Ron Walker and Stephanie Walker for the expansion and installation and operation and maintenance of a septic tank system over, across and through property owned by the City.

BE IT FURTHER RESOLVED that the City Council of the City of Muscle Shoals, Alabama, does hereby authorize and direct the Mayor of the City, David H. Bradford, for and on behalf of the City to execute the above-described instrument pertaining to the grant of an easement to Ron Walker and Stephanie Walker for the expansion and installation and operation and maintenance of a septic tank system over, across and through property owned by the City.

BE IT FURTHER RESOLVED that the Mayor of the City, David H. Bradford, be, and hereby is, authorized to execute and deliver any other instruments and related documents in connection with the said easement to the Walkers.

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

President Holland announced that the resolution had been approved.

President Holland announced that the next item of business was to consider a resolution granting an extension of the ground lease to North American Lighting.

Council Member Lockhart introduced the following resolution and moved for its adoption:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2717 - 14

WHEREAS, the City Council of the City of Muscle Shoals, Alabama has received a request from North American Lighting, Inc. to extend the Ground Lease at their plant site located in Shoals Research Airpark; and

WHEREAS, the City Council finds that certain instruments and related documents may be required in connection with said extension of the Ground Leases and is desirous of authorizing the execution and delivery of other instruments and related documents to North American Lighting, Inc. in connection with the grant of the said extension;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Muscle Shoals, Alabama, does hereby approve the extension of the Ground Lease according to the terms and conditions stated in said document styled AMENDMENT TO GROUND LEASE and the AMENDMENT TO MEMORANDUM OF LEASE and does hereby authorize David H. Bradford as Mayor the City of Muscle Shoals, Alabama to execute and deliver said documents to North American Lighting, Inc. and the City Clerk is hereby directed to retain a copy of the executed documents in the City's records.

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

President Holland announced that the resolution had been approved.

Council Member Pampinto announced that the Recreation Committee of the Council will meet at 4:30 pm in the City Hall conference room on November 17, 2014.

There being no further business to come before the meeting, upon the motion duly made by Council Member Pampinto and seconded by Council Member Willis the meeting was continued until Wednesday, November 12, 2014 at 1:30 pm.

CITY OF MUSCLE SHOALS, ALABAMA
a Municipal Corporation

COUNCIL MEMBER - PLACE ONE

COUNCIL MEMBER - PLACE TWO

COUNCIL MEMBER - PLACE THREE

COUNCIL MEMBER - PLACE FOUR

COUNCIL MEMBER - PLACE FIVE

ATTEST:

CITY CLERK