

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
February 2, 2015**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:10 p.m. on the 2<sup>nd</sup> day of February, 2015 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, JAMES HOLLAND, MIKE LOCKHART  
ABSENT: NEAL WILLIS, ALLEN NOLES

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. Richard Williams, City Clerk, was present and kept the minutes of the meeting.

Upon motion duly made by Council Member Lockhart seconded by Council Member Pampinto and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of January 20, 2015 and approved the minutes as written.

President Holland announced that the next item of business was consideration of an ordinance calling for a special municipal election to consider the approval of a continuation of a 7.5 mill ad valorem tax for public school purposes.

Council Member Pampinto introduced the following ordinance and moved for its immediate consideration:

STATE OF ALABAMA  
COLBERT COUNTY

**ORDINANCE NO. 1466 - 15**

BE IT ORDAINED by the City Council ("the Council") of the City of Muscle Shoals ("the City"), in the State of Alabama, as follows:

Section 1) Findings of Fact. The Council, upon evidence duly submitted to and considered by it, does hereby find and declare that the following facts are true and correct:

(a) A special election was duly called and held in the City on April 7, 1987, pursuant to the laws and Constitution of Alabama of 1901 (particularly

Amendment No. 56), at which election a majority of the qualified electors of the City voting thereat did vote in favor of the levy and collection of a special 7.5 mill annual ad valorem tax for public school purposes for each tax year of the City until and including the tax year of the City that will begin on October 1, 2016 (for which tax year taxes will be due and payable on October 1, 2017).

(b) At the request of the Muscle Shoals City Board of Education, the Council proposes, subject to approval at a referendum, to continue to levy the said tax annually, commencing with the tax year of the City for which taxes will become due and payable on October 1, 2018, and for each consecutive tax year thereafter for a period of thirty (30) years.

Section 2) Call of Election. A special municipal election is hereby called to be held in the City on the 28<sup>th</sup> day of April, 2015, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of submitting the following question or proposition to the qualified electors of the City and determining by ballot their will with respect thereto:

Shall the 7.5 mill (or \$.75 on each \$100 of the assessed value of taxable property) ad valorem tax presently being levied by the City of Muscle Shoals, Alabama, for public school purposes, pursuant to the Constitution and laws of Alabama and an election held in the City on April 7, 1987, continue to be levied annually, commencing with the tax year for which municipal taxes will become due and payable on October 1, 2018, and for each consecutive tax year thereafter, for a period of thirty (30) years, in continuation of the tax approved at the election held in the City on April 7, 1987?

Section 3) Notice of Election. The City Clerk is hereby directed to give notice of the said election in the manner provided by law in substantially the following form by posting in four public places in the City (there being no newspaper published in the City; the said four public places being the Office of the Mayor at City Hall, 2010 East Avalon Avenue; the Charles R. Mitchell Public Library; the Muscle Shoals Recreation Center; and First Metro Bank, Muscle Shoals branch), the first publication to be made not later than the fourth Tuesday in February, 2015, and not less than sixty days (60) days prior to the said election:

#### NOTICE OF SPECIAL MUNICIPAL ELECTION

Notice is hereby given that a special municipal election will be held in the City of Muscle Shoals in the State of Alabama on Tuesday, the 28<sup>th</sup> day of April, 2015, between the hours of 7:00 a.m. and 7:00 p.m., Central Time, at which there will be submitted to the qualified electors of the said City, for their determination by ballot, the following proposition:

Shall the 7.5 mill (or \$.75 on each \$100 of the assessed value of taxable property) ad valorem tax presently being levied by the City of Muscle Shoals, Alabama, for public school purposes, pursuant to the Constitution and laws of Alabama and an election held in the City on April 7, 1987, continue to be levied annually, commencing with the tax year for which municipal taxes will become due

and payable on October 1, 2018, and for each consecutive tax year thereafter, for a period of thirty (30) years, in continuation of the tax approved at the election held in the City on April 7, 1987?

	<u>Location of Voting Places</u>
Box 1	First Southern Baptist Church 3806 South Wilson Dam Road Muscle Shoals, Alabama
Box 2	Gattman Park Recreation Center 1000 Gattman Park Drive Muscle Shoals, Alabama
Box 3	Woodward Avenue Baptist Church – Activities Center 801 Woodward Avenue Muscle Shoals, Alabama
Box 4	United Association of Plumbing and Pipefitting Industry – Pavilion 2803 East Avalon Avenue Muscle Shoals, Alabama
Box 5	Grace Life Church 1915 Avalon Avenue Muscle Shoals, Alabama
Box 6	Muscle Shoals City Hall 2010 East Avalon Avenue Muscle Shoals, Alabama

Absentee Balloting:  
Muscle Shoals City Hall  
2010 East Avalon Avenue  
Muscle Shoals, Alabama

All registered and qualified electors of the state, who reside within the corporate limits of the City of Muscle Shoals, and have resided therein for thirty (30) days or more immediately preceding the date of the election, and who are qualified to vote in the county precinct which embraces and covers that part of the corporate limits of the City in which the elector resides, will be authorized to participate in the election.

By order of the City Council.

David H. Bradford  
Mayor of the City of Muscle Shoals

(End of form of notice)

Section 4) Form of Ballot. The following is hereby adopted as the form of the official ballot to be used at the said election on the proposition referred to in the notice of election set out in Section 3 of this ordinance, which ballot shall be prepared under the direction of the City Clerk for use in the voting machines at the respective voting places:

OFFICIAL BALLOT

SPECIAL MUNICIPAL TAX ELECTION ON  
THE RENEWAL AND CONTINUATION  
OF CITY-LEVIED SCHOOL TAX  
(Amendment No. 56)

City of Muscle Shoals, Alabama  
April 28, 2015

INSTRUCTIONS TO VOTERS: [The appropriate instructions to voters shall be printed here.]

PROPOSITION

Shall the 7.5 mill (or \$.75 on each \$100 of the assessed value of taxable property) ad valorem tax presently being levied by the City of Muscle Shoals, Alabama, on the assessed value of taxable property in the City, for public school purposes, pursuant to the Constitution and laws of Alabama and an election held in the City on April 7, 1987, continue to be levied annually, commencing with the tax year for which municipal taxes will become due and payable on October 1, 2018, and for each consecutive tax year thereafter, for a period of thirty (30) years, in continuation of the tax approved at the said election held in the City on April 7, 1987?

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[  ] FOR continued levy of said additional 7.5 mills of taxation for public school purposes

[  ] AGAINST continued levy of said additional 7.5 mills of taxation for public school purposes

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(End of form of ballot)

The form of the official absentee ballot to be used at the said election shall be the same as the foregoing form of the official ballot with the following exceptions:

In lieu of the words "Official Ballot" appearing at the head of the form thereof, there shall be inserted in the official absentee ballot the words "Official Absentee Ballot"; and there shall be added to the end of the official absentee ballot the forms of affidavit for absent voters substantially equivalent to the forms of affidavit prescribed therefor by law.

Section 5) Polling Places and Election Officials. The polling or voting places in the City for the holding of the said election are hereby designated and appointed as follows:

	<u>Location of Voting Places</u>
Box 1	First Southern Baptist Church 3806 South Wilson Dam Road Muscle Shoals, Alabama
Box 2	Gattman Park Recreation Center 1000 Gattman Park Drive Muscle Shoals, Alabama
Box 3	Woodward Avenue Baptist Church – Activities Center 801 Woodward Avenue Muscle Shoals, Alabama
Box 4	United Association of Plumbing and Pipefitting Industry – Pavilion 2803 East Avalon Avenue Muscle Shoals, Alabama
Box 5	Grace Life Church 1915 Avalon Avenue Muscle Shoals, Alabama
Box 6	Muscle Shoals City Hall 2010 East Avalon Avenue Muscle Shoals, Alabama
	Absentee Balloting: Muscle Shoals City Hall 2010 East Avalon Avenue Muscle Shoals, Alabama

The Council will by resolution hereinafter to be adopted appoint and designate the election officials to conduct the said election at the said voting places.

Council Member Lockhart seconded the motion and upon said motion being put to a vote, a roll call was had and the vote recorded as follows:

AYES: Council Member Pampinto, Council Member Lockhart,  
Council Member Holland

NAYS: None

President Holland announced that the motion for immediate consideration was unanimously adopted. Council Member Pampinto moved that the ordinance be adopted as presented. Council Member Lockhart seconded the motion and upon said motion being put to a

vote, a roll call was had and the vote recorded as follows:

AYES: Council Member Pampinto, Council Member Lockhart,  
Council Member Holland

NAYS: None

President Holland announced the vote and declared that the ordinance was approved.

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

CITY OF MUSCLE SHOALS, ALABAMA  
a Municipal Corporation

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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