

**MINUTES FROM A CONTINUED MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
May 5, 2015**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 12:00 noon on the 5<sup>th</sup> day of May, 2015 being a meeting continued from May 4, 2015. The meeting was called to order by James Holland, President of the Council. 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.

Council President Holland stated that this was the date fixed by law for the canvass of the returns of the special municipal tax election held in the City on April 28, 2015, which had been called by Ordinance No. 1466-15, adopted on February 2, 2015. The Council, constituting a board of canvassers, thereupon proceeded to canvass the returns respecting the proposition submitted to the electors of the City at the said election, and upon completion of such canvass the following ordinance, together with the preambles thereto, was introduced in writing by Council Member Pampinto who moved for its immediate consideration:

**ORDINANCE NUMBER 1469 - 15**

**AN ORDINANCE CANVASSING AND DECLARING THE  
RESULTS OF A SPECIAL MUNICIPAL ELECTION HELD IN  
THE CITY OF MUSCLE SHOALS, ALABAMA, ON  
TUESDAY, APRIL 28, 2015, REGARDING THE RENEWAL  
AND CONTINUATION OF A PROPERTY TAX FOR PUBLIC  
SCHOOL PURPOSES**

**WHEREAS**, at a meeting of the City Council ("the Council") of the City of Muscle Shoals ("the City") in the State of Alabama held on February 2, 2015, Ordinance No. 1466-15 was duly adopted by the Council in which a special municipal election was called to be held in the City on April 28, 2015 (being the fourth Tuesday in the month of February), for the purpose of submitting to the qualified electors of the City to determine their will with respect to 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?

**WHEREAS**, notice of the said election was posted in four public places in the City (viz., 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), there being no newspaper published and having general circulation in the City, in the form provided in the said ordinance, said posting having been more than thirty days before the date of the said election, and having also been on or before the fourth Tuesday of the second month next preceding the month in which the said election was held;

**WHEREAS**, the said election was held in the City on April 28, 2015, in all respects as provided in the said notice between the hours of 7:00 o'clock, a.m., and 7:00 o'clock, p.m., being the legal hours provided by law for holding the said election, and the ballot used in the said election was in all respects in the form therefor set out in the said ordinance, and the officials who conducted the said election have duly made and duly filed with the Council their respective reports, returns, and certificates; and

**WHEREAS**, the Council is required by law to canvass the returns of the said election on the first Tuesday next after the said election, and declare the results thereof, and at a meeting of the Council held on May 5, 2015, the Council, acting as a board of canvassers, has duly canvassed the said returns and ascertained the results of the said election with respect to the said proposition;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Muscle Shoals, acting as a board of canvassers for the purpose of canvassing the results of the said election, as follows:

- (1) the recitations contained in the foregoing preambles are hereby found and declared to be true and are hereby adopted as a part of this ordinance;
- (2) the said election was duly called, notice thereof was duly given, and the said election was duly held and the ballots used thereat were in all respects as provided by law;
- (3) at the said election on the said proposition, the canvass of the returns indicated the following:

<u>Box No.</u>	<u>Location of Voting Place</u>	<u>For Continued Levy of School Tax</u>	<u>Against Continued Levy of School Tax</u>
Box 1	First Southern Baptist Church 3806 South Wilson Dam Road Muscle Shoals, Alabama	66	15
Box 2	Gattman Park Recreation Center 1000 Gattman Park Drive Muscle Shoals, Alabama	79	18
Box 3	Woodward Avenue Baptist Church – Activities Center 801 Woodward Avenue Muscle Shoals, Alabama	68	15
Box 4	United Association of Plumbing and Pipefitting Industry – Pavilion 2803 East Avalon Avenue Muscle Shoals, Alabama	41	6
Box 5	Grace Life Church 1915 Avalon Avenue Muscle Shoals, Alabama	80	30
Box 6	Muscle Shoals City Hall 2010 East Avalon Avenue Muscle Shoals, Alabama	75	14
	PROVISIONAL BALLOTS	0	0
	Absentee Balloting: Muscle Shoals City Hall 2010 East Avalon Avenue Muscle Shoals, Alabama	14	0
	TOTALS	423	98

(4) at the said election on the said proposition a total of 521 votes were received and cast; of the said votes so received and cast 423 votes were received and cast **for** the levy of the said special tax and 98 votes were received and cast **against** the levy of the said special tax; that the number of votes received and cast in the said election in favor of the levy of the said special tax **exceeded by 325 votes** the number of votes received and cast in the said election against the levy of the said special tax; and that at the said election a majority of the qualified electors of the said City who voted thereat voted **in favor** of the levy of the said special tax.

BE IT FURTHER ORDAINED, that this ordinance shall comprise the canvass and declaration by the Council of the results of the aforesaid election and shall be recorded in the minutes of the proceedings of the City.

Council Member Willis 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 Willis, Council Member Lockhart,  
Council Member Holland, Council Member Noles  
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 Willis 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 Willis, Council Member Lockhart,  
Council Member Holland, Council Member Noles  
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 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