

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
January 3, 2005**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:30 p.m. on the 3rd day of January 2005 being the regularly scheduled time and approved place for said meeting. The meeting was called to order by James Holland, Mayor Pro Tem 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
ABSENT: DAVID H. BRADFORD

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

James Holland, Mayor Pro Tem 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.

Upon motion duly made by Council Member Grissom, seconded by Council Member Pampinto and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting of December 20, 2004 and approved the minutes as written.

Mayor Pro Tem Holland announced that the next item of business was consideration of a resolution awarding bids for the purchase of fuel.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2093-05

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

[1] That the Purchasing Agent did send out advertisements for bids for the purchase of gasoline, the bid opening being held January 3, 2005 at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

| <u>BIDDER:</u> | <u>GASOLINE:</u> | <u>DIESEL:</u> |
|---------------------|------------------|----------------|
| | Per Gallon: | Per Gallon: |
| O'Steen Oil Company | \$1.229 | \$1.458 |
| Tatum Oil Company | \$1.234 | \$1.457 |

[3] The lowest, responsive, responsible, bidder after evaluation and verifying the bid with the specifications, has been determined as O'Steen Oil Company with a bid price of \$1.229 for the purchase of gasoline, and Tatum Oil Company with a bid price of \$1.457 for the purchase of diesel.

The apparent low and best bidders, O'Steen Oil Company and Tatum Oil Company are now awarded the bid for gasoline and diesel fuels.

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

Mayor Pro Tem Holland announced that the Resolution had been approved.

Mayor Pro Tem Holland announced that the next item of business was the approval of a job description for an Athletic Coordinator for the Recreation Department

Council Member Willis moved that the description be approved as presented. Council Member Noles seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Pro Tem Holland announced that the job description had been approved.

Mayor Pro Tem Holland announced that the next item of business was consideration of a resolution authorizing the Mayor to execute an estoppel letter to Crown Castle International Corporation for the continuing lease of city property.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2094 -05

WHEREAS, the City is the owner of property located at 213 Industrial Drive, Muscle Shoals, Alabama; and

WHEREAS, the City currently leases the property to Crown Castle International Corp, or one of its affiliates, herein referred to as Tenant, and

WHEREAS, the City has been requested to sign an instrument referred to as an Estoppel Letter in order to allow Tenant to obtain financing through the normal course of its business, and

WHEREAS, the City Council has caused the instrument to be reviewed and examined and has determined that the terms and conditions do not materially or adversely affect the rights of the City, and

BE IT HEREBY RESOLVED that the City Council of the City of Muscle Shoals, Alabama, does hereby authorize and direct David H. Pro Tem Holland as Mayor of the City of Muscle Shoals for and on behalf of the City, to execute the instrument referred to as Estoppel Letter and to confirm and agree to the terms thereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be prepared forthwith by the Clerk and delivered unto Crown Castle International Corp. along with the executed instrument referred to as Estoppel Letter and furthermore shall retain a copy to be kept on file by the said Clerk.

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

Mayor Pro Tem Holland announced that the Resolution had been approved.

Mayor Pro Tem Holland announced that the next item of business was consideration of a resolution calling for a vote of the citizens regarding Sunday alcohol sales.

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

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2095 - 05

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

That the City of Muscle Shoals, in support of tourism and economic development and in further support of the democratic process, recommends to the Shoals Legislative Delegation, the introduction and passage of a local bill, in substance and form as attached, that will allow the citizens of Colbert County to vote on whether or not they are in favor of allowing the sale of alcoholic beverages on Sundays, after 12:00 p.m., for on premise consumption only, within the city limits of any municipality with a population of more than 5,000 and within the premises of the 36 hole Robert Trent Jones Golf course known as a part of the RSA Economic Development Project.

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

Mayor Pro Tem Holland announced that the Resolution had been approved.

Mayor Pro Tem Holland announced that the next item of business was the rescheduling of the City Council meeting set for Monday, January 17, 2005 due to a conflict with the Martin Luther King holiday.

Council Member Pampinto moved that the meeting be rescheduled to Tuesday, January 18th, 2005 at 6:30 p.m. Council Member Willis seconded the motion and upon said motion being put to a vote, all voted "AYE". Voting "NAY" were none.

Mayor Pro Tem Holland announced that the motion had been approved and the meeting was rescheduled

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

CITY OF MUSCLE SHOALS, ALABAMA
a Municipal Corporation

MAYOR

COUNCIL MEMBER - PLACE ONE

COUNCIL MEMBER - PLACE TWO

COUNCIL MEMBER - PLACE THREE

COUNCIL MEMBER - PLACE FOUR

COUNCIL MEMBER - PLACE FIVE

ATTEST:

CITY CLERK