

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
November 21, 2016**

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 21st day of November, 2016 being the scheduled time and approved place for said meeting. The meeting was called to order by Allen Noles, 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: CHRIS HALL, NEAL WILLIS, MIKE LOCKHART,
KEN SOCKWELL, ALLEN NOLES
ABSENT: NONE

Allen Noles, 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 Sockwell and seconded by Council Member Hall and unanimously adopted, the Council waived the reading of the minutes of the previously held organizational meeting and work session of November 7, 2016 and approved the minutes as written.

Representatives of Keller Hospice were present to receive the Mayor's proclamation declaring November as "National Hospice Month" in the City.

President Noles announced that the next item of business was consideration of an ordinance to amend the animal control ordinance.

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

ORDINANCE NO. 1498 - 16

**AN ORDINANCE AMENDING SECTIONS 14-14 and 14-16 OF THE CODE OF
ORDINANCES OF THE CITY OF MUSCLE SHOALS, ALABAMA**

BE IT ORDAINED by the Council of the City of Muscle Shoals, Alabama that Section 14-14 of the Code of Ordinance of the City of Muscle Shoals, Alabama, same being authorized by and contained in Ordinance 1418-09 and approved and adopted by the City Council of the City of Muscle Shoals, Alabama on October 5, 2009 is hereby amended to read as follows, to wit:

Section 14-14- Running at Large Prohibited.

It shall be unlawful for the owner or person in charge of any vicious or dangerous dog to allow such dog to be at large or unrestrained within the city.

It shall be unlawful for the owner or person in charge of an animal except cats and fowl to cause or permit such animal to run at large or be upon a street, sidewalk, thoroughfare or property other than that of the owner of the animal, or public place within the city, unless such animal is attached to a leash in the hands of said owner or person in charge of said animal.

BE IT ORDAINED by the Council of the City of Muscle Shoals, Alabama that Section 14-16 of the Code of Ordinance of the City of Muscle Shoals, Alabama, same being authorized by and contained in Ordinance 1418-09 and approved and adopted by the City Council of the City of Muscle Shoals, Alabama on October 5, 2009 is hereby amended to read as follows, to wit:

It shall be unlawful for the owner or person in charge of any vicious or dangerous dog or animal to allow such dog or animal to be at large or off the owner's property or off the property of any person in charge of said dog or animal unless such dog or animal is securely muzzled so as to effectively prevent such dog or animal from biting or attacking another animal or person and unless such dog or animal is secured on a leash or chain of not more than five (5) feet in length that is held or controlled by a person of not less than 16 years of age.

It shall be unlawful for the owner or other person in charge thereof to harbor or keep in the city a vicious or dangerous dog or animal, unless same is confined, muzzled and bound in such a manner as to prevent such animal from biting or attacking a person or other animal.

It shall be prima facie evidence that a dog or an animal is a vicious and dangerous dog or animal if it shall bite or fiercely attack any person or any other animal, such person or other animal at the time of said biting or attack not being on the owner's premises.

BE IT FURTHER ORDAINED that this Ordinance, and its provisions, shall become effective upon publication or posting pursuant to law or as otherwise provided for by law.

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 Hall, Council Member Willis, Council Member Lockhart,
Council Member Sockwell, Council Member Noles

NAYS: None

President Noles announced that the motion for immediate consideration had passed unanimously. Council Member Hall moved that the Ordinance be approved. 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 Hall, Council Member Willis, Council Member Lockhart,
Council Member Sockwell, Council Member Noles

NAYS: None

President Noles announced that the motion for approval of the Ordinance was approved unanimously.

President Noles announced that the next item of business was consideration of a resolution to authorize the Mayor to enter into an agreement with PRA Government Services LLC d/b/a RDS for discovery and collection of delinquent business licenses.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2847 - 16

WHEREAS, the City Council of the City of Muscle Shoals has been presented and has reviewed that certain instrument styled Tax Revenue Agreement Business License Discovery/Recovery; and

WHEREAS, the City Council of the City of Muscle Shoals deems it necessary and expedient that action be taken to approve execution of the agreement styled Tax Revenue Agreement Business License Discovery/Recovery with PRA Government Services, LLC d/b/a RDS;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals does hereby authorize the City to enter into said agreement styled Tax Revenue Agreement Business License Discovery/Recovery with PRA Government Services, LLC d/b/a RDS, and;

BE IT FURTHER RESOLVED that the City Council of the City of Muscle Shoals, Alabama, does hereby approve the agreement hereinabove described and does hereby authorize David H. Bradford as Mayor the City of Muscle Shoals, Alabama to execute the said agreement styled Tax Revenue Agreement Business License Discovery/Recovery and deliver an executed copy to PRA Government Services, LLC d/b/a RDS and the City Clerk is hereby directed to retain a copy of the executed documents in the City's records.

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

President Noles announced that the resolution had been approved.

President Noles announced that the next item of business was consideration of a resolution to establish the rate of pay for members of the Civil Service Board pursuant to Act #2016-264 of the Alabama Legislature.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2848 - 16

WHEREAS, the City Council of the City of Muscle Shoals deems it necessary and expedient that action be taken on increasing the compensation of the members of the City's Civil Service Board; and

WHEREAS, the City Council has the authority, pursuant to Act# 2016-264, duly passed by the Alabama Legislature and signed into law by the Governor;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals that, commencing December 1, 2016, the compensation for each member of the City's Civil Service Board, shall be three thousand six hundred dollars per annum (\$3,600.00), payable in twelve (12) equal installments.

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

President Noles announced that the resolution had been approved.

President Noles announced that the next item of business was consideration of a resolution to appoint a member to the Colbert County Conventions and Tourism Board.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2849 - 16

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, and are eligible for appointment to fill the pending vacancy:

Wayne Holt Diane Kutz Shirish Rick Patel Stan Sockwell

WHEREAS, Wayne Holt 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 Hall: Wayne Holt
Council Member Willis: Wayne Holt
Council Member Lockhart: Wayne Holt
Council Member Sockwell: Wayne Holt
Council Member Noles: Wayne Holt

WHEREAS, President Noles announced that Wayne Holt 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>
Wayne Holt	Tourism Board	October 2019

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

President Noles announced that the resolution had been 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

COUNCIL MEMBER - PLACE ONE

COUNCIL MEMBER - PLACE TWO

COUNCIL MEMBER - PLACE THREE

COUNCIL MEMBER - PLACE FOUR

COUNCIL MEMBER - PLACE FIVE

ATTEST:

CITY CLERK