

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
December 21, 2009**

The Council of Muscle Shoals, Alabama met at the City Hall in said City at 6:00 p.m. on the 21st day of December, 2009 being the regularly scheduled time and approved place for said meeting. The meeting was called to order by David Bradford, Mayor of the City. 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, JERRY KNIGHT GRISSOM, ALLEN NOLES
 JAMES HOLLAND, DAVID H. BRADFORD
ABSENT: NEAL WILLIS

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

David Bradford, Mayor 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 Holland 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 December 7, 2009 and the work session of December 15, 2009 and approved the minutes as written.

Mayor Bradford announced that the next item of business was a public hearing to consider the issuance of a Restaurant Retail Liquor License to GAMEON Inc. dba Sidelines Sports Deli, 301 Ford Road.

Mayor Bradford noted that proper notice of the date, time and place of said hearing had been given and the matter was before the Council.

Mayor Bradford stated that the Council would hear from those persons in support of the issuance of the license as well as those opposed.

Tad Drake, the owner and operator of Sidelines spoke requesting approval of the license. There being no other individuals wishing to speak, Mayor Bradford stated that approval of the license application was before the Council. All those in favor of the application would indicate so by voting aye and those opposed would indicate by voting nay. Upon said question being put to a vote, a roll call was had and the vote recorded as follows:

AYES: Council Member Pampinto, Council Member Grissom, Council Member Holland
Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford announced that the license had been approved.

Mayor Bradford announced that the next item of business was consideration of the 2009-2010 General Fund Budget.

Council Member Pampinto introduced the following amended budget in writing:

Council Member Pampinto moved that unanimous consent be given for immediate consideration of and adoption of said General Fund Budget, which motion was seconded by Council Member Grissom and, upon said motion being put to a vote, a roll call was had and the vote was recorded as follows:

AYES: Council Member Pampinto, Council Member Grissom, Council Member Holland, Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford announced the vote and declared that the motion for unanimous consent for immediate consideration had been approved. Council Member Pampinto then moved that the said General Fund Budget be finally adopted, which motion was seconded by Council Member Grissom and, upon said motion being put to a vote, a roll call on final approval was had and the vote recorded as follows:

AYES: Council Member Pampinto, Council Member Grissom, Council Member Holland, Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford thereupon declared said motion carried and the General Fund Budget approved.

Mayor Bradford announced that the next item of business was consideration of a resolution authorizing the Mayor to complete the purchase of property previously optioned from the Counts family for inclusion in the Shoals Research Airpark.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2423 - 09

WHEREAS, the City Council of the City of Muscle Shoals, Alabama has entered into negotiations with Claude Price Counts, Jr., James Daniel Counts and Florence Marie James for an option to purchase certain property; and

WHEREAS, the City is desirous of exercising said option to purchase the property and finds that doing so is wise and expedient that the City do so; and

BE IT HEREBY 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 take the necessary steps to exercise the option to purchase the real property as therein described in said option agreement from Claude Price Counts, Jr., James Daniel Counts and Florence Marie James; and

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

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business was consideration of a resolution directing the City Clerk/Treasurer to retain \$300,000 of sales tax funds in the General Fund. These funds were previously authorized for transfer to the Half Cent Sales Tax Fund.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2424 - 09

WHEREAS, the City Council of the City of Muscle Shoals previously authorized by Resolution Number 1297-93 that all sales tax and/or gross receipts tax enacted by Ordinance 1128-93 in excess of 3% be earmarked for flood control and allied capital projects; and

WHEREAS, the City Council further directed by Resolution Number 1312-93 that all funds received in excess of the 3% tax from the enactment of Ordinance 1128-93 be deposited in an account with Bank Independent, and

WHEREAS, the City Council has determined that a current capital need, namely the purchase of land for the Shoals Research Airpark, will be partially funded in the amount of \$300,000 through a local utility during fiscal year 2009 - 2010, now

THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama that Resolutions 1297-93 and 1312-93 be amended on a one time basis and the City Clerk/Treasurer is hereby directed to retain \$300,000 of the tax proceeds received during the current fiscal year 2009 -2010 in the General Fund of the City.

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

Mayor Bradford announced that the Resolution had been approved.

There being no further business to come before the meeting, upon the motion duly made, seconded and unanimously carried, 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