

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
February 18, 2008**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:30 p.m. on the 18th of February 2008 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 Pampinto, seconded by Council Member Willis and unanimously adopted, the Council waived the reading of the minutes of the previously held work session and regular meeting of February 4, 2008 and approved the minutes as written.

Mayor Pro Tem Holland announced that the next item of business was award of a bid for the purchase of a mower for Storm Drainage.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2315-08

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 a front mower - four wheel drive to be utilized by the storm drainage division of the City Clerk's

office, the bid opening being held February 11, 2008 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:

BIDDER:	BID AMOUNT:
Tri-Green Equipment, LLC	\$14,880.00

[3] The lowest, responsive, responsible bidder after evaluation and verifying the bid with the specifications, has been determined as Tri-Green Equipment, LLC with a bid price of \$14,880.00 for the purchase of a front mower - four wheel drive..

The apparent low and best bidder, Tri-Green Equipment, LLC is now awarded the bid for a front mower - four wheel drive.

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 Resolution had been approved.

Mayor Pro Tem Holland announced that the next item of business was award of a bid for the purchase of a mower for the Recreation Department.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2316-08

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 a two-wheel drive front mower to be utilized by the Parks and Recreation Department, the bid opening being held February 11, 2008 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:

BIDDER:	BID AMOUNT:
Tri-Green Equipment, LLC	\$12,898.00

[3] The lowest, responsive, responsible bidder after evaluation and verifying the bid with the specifications, has been determined as Tri-Green Equipment, LLC with a bid price of \$12,898.00 for the purchase of a 2-wheel drive front mower.

The apparent low and best bidder, Tri-Green Equipment, LLC is now awarded the bid for a 2-wheel drive front mower.

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 award of a bid for lawn care services for the City Hall, Police Department, Library and Fire Station #1.

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

STATE OF ALABAMA
COUNTY OF COLBERT

RESOLUTION NUMBER 2317-08

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 lawn maintenance services at the locations of City Hall, Public Library, and Police Department, and to include Fire Station #1 as an alternate, the bid opening being held the 6th day of February, 2008 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>MONTHLY BID</u>	<u>ALTERNATE</u>	<u>TOTAL</u>
	<u>AMOUNT:</u>	<u>Fire Station #1</u>	<u>MONTHLY</u>
Jagris, Inc.	\$1750.00	\$275.00	\$2025.00
LawnMan, Inc.	1247.50	75.00	1322.50

[3] The lowest, responsible, responsive bidder, after verifying the bid with the specifications, has been determined as LawnMan, Inc. with a total monthly bid price, including the alternate bid, of \$1322.50.

The apparent low and best bidder, LawnMan, Inc., is now awarded the bid for lawn maintenance services.

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 consideration of bids for a paving machine.

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

STATE OF ALABAMA
COUNTY OF COLBERT

RESOLUTION NUMBER 2318-08

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

[1] That the Procurement Agent did send out advertisements for bids for the purchase of a used, road paver, the bid opening being set for the 7th day of February, 2008, at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, no bids were received as solicited.

[3] There being no bids received, the Invitation to Bid was rejected and the Procurement Agent was authorized to negotiate the purchase of a used, road paver.

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 consideration of an ordinance to repeal ordinance number 1399-07 setting the Mayor's salary for the next term.

Council Member Willis introduced in writing the following ordinance which was presented in the meeting:

ORDINANCE NO. 1405 - 08

**AN ORDINANCE OF THE CITY OF MUSCLE SHOALS ESTABLISHING THE
SALARY AND COMPENSATION OF THE MAYOR
EFFECTIVE ON THE FIRST MONDAY IN
NOVEMBER, 2008**

WHEREAS, Section 11-43-2, Code of Alabama, 1975 as amended, provides that in all cities and towns having a population of less than 12,000 inhabitants according to the last or any subsequent federal census, that the governing body may determine, not less than six (6) months before an election, the salary of the mayor for the next succeeding term of office of such elected official.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Muscle Shoals that effective with the newly elected mayor of the City of Muscle Shoals, who shall take office on the first Monday in November 2008, that the full and only salary and compensation of such mayor shall be as follows:

I. Compensation of the Mayor of the City of Muscle Shoals, Alabama.

The annual salary of the Mayor shall be in an amount equal to one hundred ten (110%) per cent per annum of annual base salary of the Chief of the Muscle Shoals Police Department as of the first Monday in November 2008, payable in equal bi-weekly installments.

Thereafter, on the first day of November of each succeeding year, the salary of the Mayor shall be adjusted annually to reflect any increase in the cost of living as indicated by the United States Department of Labor Consumer Price Index issued for the month of September immediately preceding.

In addition thereto, the Mayor shall be provided an automobile, gasoline and oil at city expense. Such Mayor shall also have paid by the City as part of the salary,

compensation and benefits health and dental insurance premiums for health insurance for the Mayor, spouse and dependents, if any, through the City's health insurance program for its employees. The Mayor shall also have only actual expenses incurred on behalf of duties as an elected official by travel, meals and accommodations paid by the City upon submitting vouchers and paid receipts for such expenses. The Mayor shall devote full time to the duties of Mayor of the City of Muscle Shoals. Furthermore, the City shall establish for the benefit of the Mayor a non-qualified pension plan and contribute unto the plan a sum of money equal to the same percentage of salary as is contributed to the State Retirement System for the benefit of employees of the City and in the same manner. The Mayor shall be permitted to contribute an amount not exceeding fifteen (15%) per annum of the salary of the Mayor to the plan and shall be considered fully vested in the plan at all times during the period of service as Mayor of the City of Muscle Shoals, Alabama.

II. Repealer.

Ordinance Number 1399 - 07, adopted by the City Council of Muscle Shoals, Alabama on December 3, 2007 is repealed and shall have no further force and effect.

III. Effective Date.

The Ordinance, and its provisions, shall become effective commencing with the first Monday in November 2008, after due publication or posting pursuant to law or as otherwise provided for by law.

Council Member Willis moved that unanimous consent be given for immediate consideration of and adoption of said ordinance, which motion was seconded by Council Member Noles 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 Willis, Council Member Grissom,
Council Member Holland, Council Member Noles

NAYS: None

Mayor Pro Tem Holland announced the vote and declared that the motion for unanimous consent for immediate consideration had been approved. Council Member Willis then moved that the said ordinance be finally adopted, which motion was seconded by Council Member Noles 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 Willis, Council Member Grissom,
Council Member Holland, Council Member Noles

NAYS: None

Mayor Pro Tem Holland thereupon declared said motion carried and the Ordinance was adopted as introduced.

There being no further business to come before the meeting upon a 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