

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
February 19, 2007**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:30 p.m. on the 19th day of February 2007 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 Rusty Wheelles. 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, DAVID H. BRADFORD
ABSENT: NONE

Richard Williams, City Clerk of the City, 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 Noles and unanimously adopted, the Council waived the reading of the minutes of the previously held work session and regular meeting of February 5, 2007 and approved the minutes as written.

Mayor Bradford announced that the next item of business was consideration of a resolution awarding a bid for in-car video camera systems.

Council Member Noles introduced the following resolution which was presented in writing:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2252-07

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 four in-car video camera systems to be utilized by the police department, the bid opening being held February 15, 2007, 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:	TOTAL BID AMOUNT:
L-3 Communications - Mobile Vision	\$11,500.00

[3] The lowest, responsive, responsible bidder after evaluation and verifying the bid with the specifications, has been determined as L-3 Communications -Mobile Vision with a total bid price of \$11,500.00 for the purchase of four in-car video camera systems.

The apparent low and best bidder, L-3 Communications -Mobile Vision is now awarded the bid for four in-car video camera systems.

Council Member Noles moved for adoption of the resolution. Council Member Willis 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 a public hearing to consider the appropriation of \$12,500 to the Industrial Development Board the City of Florence for incentives for Thacker Caskett Company to locate in the Shoals area.

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

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

There being no one wishing to speak, Mayor Bradford stated that approval of the resolution authorizing the appropriation was before the Council.

Council Member Willis presented the following resolution in writing and moved for unanimous consent for immediate consideration:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2253 - 07

WHEREAS, the City Council of the City of Muscle Shoals pursuant to Amendment 772 of the *Constitution of the State of Alabama*, recompiled and codified as Sec. 94.01, has caused a notice to be published in the *TimesDaily*, a newspaper having the largest circulation within the City, same being published at least seven days prior to the date of the public hearing at which the action was taken; and

WHEREAS, the City Council held a public hearing on the proposed grant of public funds to The Industrial Development Board of the City of Florence, Inc. on February 19, 2007 at and during a regularly scheduled meeting of the City Council for the purpose of discussion and the receipt of comments and input from the public and to consider an appropriation of \$12,500.00 of public funds unto The Industrial Development Board of the City of Florence, Inc.; and

WHEREAS, the City Council finds and determines that the grant of public funds by appropriation of the sum of \$12,500.00 from the public monies of the City unto The Industrial Development Board of the City of Florence, Inc. will serve a valid and sufficient public purpose, notwithstanding any incidental or direct benefit accruing to any private entity or entities; and

WHEREAS, the City Council finds and determines that the grant of public funds as herein set forth unto The Industrial Development Board of the City of Florence, Inc. is for the

purpose of assisting the efforts of the said Board in its purpose of providing incentives for the relocation of Thacker Casket Company to the Shoals area. Said relocation of the families and employees would provide a positive economic impact in the entire Shoals area and in the City of Muscle Shoals, Alabama, thus providing benefit to the citizenry of Muscle Shoals, Alabama and the surrounding cities and counties.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama that the sum of \$12,500.00 to be paid from the public monies of the City is hereby appropriated and said sum shall be paid forthwith unto The Industrial Development Board of the City of Florence, Inc.

BE IT FURTHER RESOLVED by the City Council of the City of Muscle Shoals, Alabama that the Treasurer of the City is hereby authorized to effectuate said transfers as herein outlined so as the pay from the public monies of the City unto The Industrial Development Board of the City of Florence, Inc.

Council Member Grissom seconded the motion 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, 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 Willis then moved that said Resolution 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 Willis, Council Member Grissom,
Council Member Holland, Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford announced that the resolution had been approved.

Mayor Bradford announced that the next item of business was the scheduling of a public hearing to consider the adoption of an Ordinance to amend the Zoning Ordinance and Zoning Map of the City of Muscle Shoals, Alabama. Mayor Bradford announced that at a meeting to be held at the City Hall in said City at 6:30 p.m. on the 19th day of March, 2007, the Council will consider the adoption of an Ordinance to amend the Zoning Ordinance and Zoning Map of said City, the proposed Ordinance being as follows:

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND THE
ZONING MAP OF THE CITY OF MUSCLE SHOALS, ALABAMA**

Be it ordained by the Council of the City of Muscle Shoals, Alabama, that the Zoning Ordinance and the Zoning Map of the City of Muscle Shoals, are hereby amended as follows:

That the following described areas are hereby eliminated from the R-2 District in which it is now situated, and is hereby incorporated in and made a part of the M-2 District, to wit:

A tract of land lying partly in the East 1/2 of the SE 1/4 and partly in the SE 1/4 of the NE 1/4 of **Section 6, Township 4 South, Range 10 West**, Colbert County, Alabama, part of

said property also known as **ROSE HEIGHTS SUBDIVISION**, according to the Map or Plat of said Subdivision as recorded in the Office of the Judge of Probate, Colbert County, Alabama, in Map Book 2, Page 597 and being more particularly described as follows, to-wit: Commence at a P.K. nail and shiner set (stamped typical R.Collins, L.S – 13406) formerly an existing cotton spindle in the centerline of 6th Street (Colbert County Road #24 – 80 foot right of way), said point being locally known and accepted as the SE corner of said Section 6; thence N 88 degrees 48’ 20” W and along the centerline of said 6th Street 551.88 feet to a P.K. nail and shiner set; thence leaving said centerline N 00 degrees 19’ 46” W and along the Eastwardly line of the Davis B. McBride (Betty McBride Sellers) property as recorded in the Office of the Judge of Probate of Colbert County, Alabama, in Book 199, Pages 50-51 for 2656.57 feet (passing over a reference iron pin set [capped typical R. Collins, L.S.-13406 on the Northwardly right of way of said 6th Street at 39.78 feet] to an iron pin set (Sellers’ NE corner); said point lying on the Southwardly line of the E.E. Blackstock and wife, Ann F. Blackstock property (Book 9507, Pages 421-422); thence S 88 degrees 55’ 18” E and along Blackstock’s Southwardly line 395.94 feet to an existing iron pin (capped Alexander, L.S. #2268) Blackstock’s SE corner; thence N 00 degrees 20’ 47” W and along Blackstock’s Eastwardly line 306.30 feet to an existing iron pin (capped Alexander, L.S. #2268) Blackstock’s NE corner; said point lying on the Southwardly right of way of Peachtree Street; thence S 89 degrees 02’ 24” E and along said right of way 100.27 feet to a corner which falls in a 36” Hackberry tree lying on the Westwardly boundary of the Northwest Regional Airport and the Eastwardly line of said Section 6; thence along said Northwest Regional Airport boundary line and along said section line S 00 degrees 21’ 43” E 333.67 feet to an existing iron pin (capped R. Collins, L.S.-13406); said point being the NW corner of Tract 2, **SHOALS RESEARCH AIRPARK**, (Plat Cabinet C, Slide No. 126); thence S 01 degree 32’ 16” E and along the Westwardly line of said Tract 2 and along the Eastwardly line of said Section 6 for 2632.48 feet (passing over an existing reference iron pin [capped R. Collins, L.S. – 13406] at 2592.45 feet) to the point of beginning. Said tract contains **32.65 acres**, more or less, and is subject to any easements of record or easements existing on site.

At said time and place, all persons who desire to do so shall have an opportunity of being heard in opposition to or in favor of the adoption of such Ordinance.

Mayor Bradford announced that the next item of business was consideration of a resolution authorizing the Mayor to execute a supplemental agreement with the Alabama Department of Transportation for Project #STPTE-TE06 (930)S1.

Council Member Grissom introduced the following resolution in writing:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2254 - 07

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

1. That the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a Transportation Enhancement project with partial funding by the Federal Highway Administration, which agreement is before this Council;

2. That the agreement be executed in the name of the City, for and on behalf of the City, by its Mayor.
 3. That it be attested by the Clerk and the seal of the City affixed thereto.
- BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City Council.

Council Member Grissom moved for adoption of the resolution. Council Member Pampinto 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 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