

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
February 5, 2007**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:30 p.m. on the 5th 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 Ricky Williams. 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 Grissom and unanimously adopted, the Council waived the reading of the minutes of the previously held work session and regular meeting of January 16, 2007 and the work session of February 1, 2007 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 Something Fishy Inc. dba Something Fishy located at 301 Ford Road.

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 issuance of the license as well as those opposed.

There being no one 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 Willis, 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 a public hearing to consider the issuance of a Lounge Retail Liquor License-Class III (Package) to M & R LLC dba Paradise Package Store #1 located at 2526 ½ E. Avalon Avenue.

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 issuance of the license as well as those opposed.

There being no one 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 Willis, 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 a resolution appointing two members to the Muscle Shoals Electric Board.

Mayor Bradford called for a vote on the candidates for appointment and a roll call vote was had and the vote recorded as follows:

Council Member Pampinto: Donnie Allen, Ronald "Butch" Richards

Council Member Willis: Donnie Allen, Ronald "Butch" Richards

Council Member Grissom: Donnie Allen, Teresa Rogers

Council Member Holland: Donnie Allen, Ronald "Butch" Richards

Council Member Noles: Abstained

Mayor Bradford: Donnie Allen, Ronald "Butch" Richards

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

RESOLUTION NUMBER 2250 - 07

WHEREAS, the terms of members of the Muscle Shoals Electric Board of the City of Muscle Shoals have expired and the City Council being desirous of making the necessary appointments to said board within the City;

WHEREAS, notice was given to the public of said pending vacancies and applications solicited for members to said board;

WHEREAS, the following individuals made proper application and met the requirements for appointment, are eligible for appointment to fill the pending vacancy:

Donnie Allen
Ronald "Butch" Richards

Daron Goodloe
Teresa Rogers

Tim Montgomery

WHEREAS, Ronald "Butch" Richards and Donnie Allen were determined to have received the best overall ranking on the City Council evaluations, and

WHEREAS, a roll call vote was had by the Mayor and City Council as follows:

Council Member Pampinto: Donnie Allen, Ronald "Butch" Richards
Council Member Willis: Donnie Allen, Ronald "Butch" Richards
Council Member Grissom: Donnie Allen, Teresa Rogers
Council Member Holland: Donnie Allen, Ronald "Butch" Richards
Council Member Noles: Abstained
Mayor Bradford: Donnie Allen, Ronald "Butch" Richards

WHEREAS, Mayor Bradford announced that Donnie Allen and Ronald "Butch" Richards 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 persons to serve as set forth herein:

<u>APPOINTEE</u>	<u>BOARD</u>	<u>EXPIRATION OF TERM</u>
Donnie Allen	Electric Board	February 2013
Ronald "Butch" Richards	Electric Board	February 2013

The Clerk is hereby directed to notify the above named persons of their appointment and to further notify the respective board of said appointments.

Council Member Pampinto seconded the motion and upon said motion being put to a vote, approval of the resolution received five affirmative votes with one abstention.

Mayor Bradford announced that the Resolution had been approved.

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 utility relocation work on Avalon Avenue.

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

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION 2251 - 07

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

1. That the City of Muscle Shoals, Alabama enter into a Supplemental Agreement Number 1 with the State of Alabama, acting by and through the Alabama Department of Transportation amending an Agreement dated August 1, 2001, for: Utility Agreement, Project STPOA-8828 (), for improvements on Avalon Avenue from Woodward Avenue west to Cox Boulevard in the City of Muscle Shoals, which agreement is before this Council.
2. That the agreement be executed in the name of the City, by its Mayor, for and on its behalf;
3. That the signature of the Mayor be attested by the City Clerk and that the seal of the City be affixed thereto.

BE IT FURTHER RESOLVED that upon completion of the execution of the Agreement by all parties, that a copy of such agreement be kept on file by the City Clerk.

Council Member Pampinto moved for unanimous consent for immediate consideration. Council Member Willis seconded the motion and upon said motion 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 Pampinto then moved that said Resolution 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, Mayor Bradford

NAYS: None

Mayor Bradford thereupon declared said motion carried and 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