

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
April 18, 2005**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:30 p.m. on the 18th day of April 2005 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 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, 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.

At this time, Mayor Bradford presented a proclamation declaring May, 2005 as “Neurofibromatosis Awareness Month” in the City.

At this time, Mayor Bradford presented a Risk Management award from the Alabama Municipal Insurance Corporation to the City for 2004. City Clerk Ricky Williams accepted the award on behalf of the City employees.

Upon motion duly made by Council Member Holland, seconded by Council Member Willis and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting of April 4, 2005 and approved the minutes as written.

Mayor Bradford announced that the next item of business was consideration of a resolution awarding a bid for fuel products.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2124-05

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 fuel, the bid opening being held April 18, 2005 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>GASOLINE:</u>	<u>DIESEL:</u>
	Per Gallon:	Per Gallon:
O'Steen Oil Company	\$1.548	\$1.714
Tatum Oil Company	\$1.576	\$1.726

[3] The lowest, responsive, responsible, bidder after evaluation and verifying the bid with the specifications, has been determined as O'Steen Oil Company with a bid price of \$1.548 for the purchase of gasoline and \$1.714 for the purchase of diesel fuel.

The apparent low and best bidder, O'Steen Oil Company is now awarded the bid for fuels.

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 awarding a bid for the Elledge Lane Sewer Project.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NO. 2125-05

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

[1] That the City Engineer did send out advertisements for bids for the construction of the Elledge Lane Sanitary Sewer Improvements EPA Project, the bid opening being set for the 31st day of March, 2005, 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>BID AMOUNT:</u>
Gilco Contracting, Inc.	\$515,777.77
Golden Construction Co.	\$387,485.00
C & J Contracting & Plumbing	\$459,079.60
Sutton Contracting	\$572,954.59
L.W. Fritts Construction, Inc.	\$533,980.95
Global Construction & Engineering, Inc.	\$867,095.00

[3] The lowest, responsible, responsive bidder, after verifying the bid with the specifications, has been determined as Golden Construction Co. with a total bid price of \$387,485.00.

The apparent low and best bidder, Golden Construction Co., is now awarded the bid for the construction of the Elledge Lane Sanitary Sewer Improvements EPA Project.

Council Member Grissom 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 issuance of a Restaurant Retail Liquor License to Rancho Viejo Inc. dba Rancho Viejo to be located at 3402 Woodward 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

NAYES: None

Mayor Bradford thereupon announced that the vote was unanimous in favor of approval of the license application and the application was 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 II (Package) to Ed Taylor's Car Sales dba Fine Wine Liquor located at 100 River 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

NAYES: None

Mayor Bradford thereupon announced that the vote was unanimous in favor of approval of the license application and the application was approved.

Mayor Bradford announced that the next item of business was presentation of the annual audit for the fiscal year ended September 30, 2003. The City Clerk discussed the audit, prepared by Leigh, King & Associates, CPAs. Mayor Bradford directed the audit be spread upon the minutes of this meeting as follows:

Mayor Bradford announced that the next item of business was consideration of a resolution making an appointment to the Board of Education.

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: Willis H. Thompson
Council Member Willis: Willis H. Thompson
Council Member Grissom: Willis H. Thompson
Council Member Holland: Willis H. Thompson
Council Member Noles: Willis H. Thompson
Mayor Bradford: Willis H. Thompson

Mayor Bradford announced that Willis H. Thompson had received a majority of the votes cast and the resolution was approved.

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2126 - 05

WHEREAS, the term of a member of the Board of Education within the City of Muscle Shoals will soon expire 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 boards;

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

Claude Eubanks	Daron Goodloe	Keith D. Malone
Lenora L. Sheffey	Mike Smith	Willis H. Thompson

WHEREAS, Willis H. Thompson was 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: Willis H. Thompson
Council Member Willis: Willis H. Thompson
Council Member Grissom: Willis H. Thompson
Council Member Holland: Willis H. Thompson
Council Member Noles: Willis H. Thompson
Mayor Bradford: Willis H. Thompson

WHEREAS, Mayor Bradford announced that Willis H. Thompson 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>
Willis H. Thompson	Board of Education	June 2010

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

Mayor Bradford announced that the next item of business was consideration of a resolution making an appointment to the Appeals 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: Phillip Fretwell
Council Member Willis: Phillip Fretwell
Council Member Grissom: Phillip Fretwell
Council Member Holland: Phillip Fretwell
Council Member Noles: Phillip Fretwell
Mayor Bradford: Phillip Fretwell

Mayor Bradford announced that Phillip Fretwell had received a majority of the votes cast and the resolution was approved.

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2127 - 05

WHEREAS, the term of a member of the Appeals Board within the City of Muscle Shoals will soon expire 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 boards;

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

Joseph Benjamin Fairer Phillip Fretwell

WHEREAS, Phillip Fretwell was 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: Phillip Fretwell
Council Member Willis: Phillip Fretwell
Council Member Grissom: Phillip Fretwell
Council Member Holland: Phillip Fretwell
Council Member Noles: Phillip Fretwell
Mayor Bradford: Phillip Fretwell

WHEREAS, Mayor Bradford announced that Phillip Fretwell 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>
Phillip Fretwell	Board of Education	December 2006

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

Mayor Bradford announced that the next item of business was consideration of a resolution making an appointment to the Riverbend Mental Health 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: David Jones
Council Member Willis: David Jones
Council Member Grissom: David Jones
Council Member Holland: David Jones
Council Member Noles: David Jones
Mayor Bradford: David Jones

Mayor Bradford announced that David Jones had received a majority of the votes cast and the resolution was approved.

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2128 - 05

WHEREAS, certain board positions on various boards within the City of Muscle Shoals have become vacant or the term of certain members have expired or will soon expire and the City Council being desirous of making the necessary appointments to said boards within the City;

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>
David Jones	Riverbend Mental Health	April 2011

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

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