

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
July 6, 2004**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 7:00 p.m. on the 6th day of July 2004 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 Jimmy Jumper. On roll call the following members were found to be present or absent, as indicated:

PRESENT: NEAL WILLIS, DAVID YARBER, JAMES HOLLAND,
ALLEN NOLES, DAVID H. BRADFORD
ABSENT: STEVE BRADFORD

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 regular meeting of June 21, 2004 and special meeting of June 28, 2004 and approved the minutes as written.

Mayor Bradford announced that the next item of business was consideration of a resolution to award bids for fuel products.

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 NUMBER 2043 - 04

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 products, the bid opening being held June 30, 2004 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:
Tatum Oil Company	\$1.2445	\$1.22
O'Steen Oil Company	\$1.227	\$1.248

[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 \$1.227 per gallon for gasoline and Tatum Oil Company with a bid price of \$1.22 per gallon.

The apparent low and best bidders, O'Steen Oil Company and Tatum Oil Company are now awarded the bid for fuel products.

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

Mayor Bradford announced that the resolution had been approved.

Mayor Bradford announced that the next item of business was consideration of amendments to the 2003-2004 General Fund Budget.

Council Member Willis introduced the following budget amendments in writing:

Revenue:	<u>Account #</u>	<u>Current Budget</u>	<u>Amendment</u>	<u>Revised Budget</u>
Sales Tax	40020	\$9,125,000.00	\$25,000.00	\$9,150,000.00
Expenditures:				
City Clerk - Capital Outlay	60030/331	\$16,650.00	\$1,690.00	\$ 18,340.00
City Buildings - Buildings & Grounds	60500/141	60,000.00	\$3,000.00	63,000.00
Board of Education-Educational Foundation	67010/226	0.00	\$15,000.00	15,000.00
Recreation - Tournament Expenses	66023/284	\$100,000.00	<u>\$5,000.00</u>	\$105,000.00
		TOTAL	\$24,690.00	

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

AYES: Council Member Willis, Council Member Yarber, 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 the said budget amendments be finally adopted, which motion was seconded by Council Member Yarber 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 Willis, Council Member Yarber, Council Member Holland,
Council Member Noles, Mayor Bradford

NAYS: None

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

Mayor Bradford announced that the next item of business was consideration of a resolution making appointments to the Industrial Development Board.

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 NUMBER 2044 - 04

WHEREAS, certain board positions on various boards within the City of Muscle Shoals have become vacant or the term of certain members have expired 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>
Larry D. Brock	Industrial Development	June 2008
Clinton Garrett	Industrial Development	June 2010
David B. Moore	Industrial Development	June 2010

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

Council Member Holland seconded the motion and, upon said motion being put to a vote, a roll call on final approval was had and the vote recorded as follows:

Council Member Willis: Mr. Brock, Mr. Garrett & Mr. Moore
Council Member Yarber: Mr. Brock, Mr. Garrett & Mr. Moore
Council Member Holland: Mr. Brock, Mr. Garrett & Mr. Moore
Council Member Noles: Mr. Brock, Mr. Garrett & Mr. Moore
Mayor Bradford: Mr. Brock, Mr. Garrett & Mr. Moore

Mayor Bradford thereupon declared that Mr. Brock, Mr. Garrett & Mr. Moore all received five votes and the resolution approved.

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

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 NUMBER 2045 - 04

WHEREAS, certain board positions on various boards within the City of Muscle Shoals have become vacant or the term of certain members have expired 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>
Donnie Allen	Civil Service Board	June 2007

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

Council Member Holland seconded the motion and, upon said motion being put to a vote, a roll call on final approval was had and the vote recorded as follows:

Council Member Willis: Donnie Allen
Council Member Yarber: Donnie Allen
Council Member Holland: Donnie Allen
Council Member Noles: Donnie Allen
Mayor Bradford: Donnie Allen

Mayor Bradford thereupon declared that Donnie Allen had received five votes and the resolution approved.

Mayor Bradford announced that the next item of business was consideration of a resolution appointing the City Clerk to perform the election duties of the Mayor who is a candidate in the upcoming municipal elections.

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

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2046 - 04

WHEREAS, elections for filling the offices of Mayor and Council Member Places 1, 2, 3, 4 and 5 will be held in the City of Muscle Shoals, Alabama on August 24, 2004 and a second election, if necessary, held on September 14, 2004; and

WHEREAS, the Mayor of the City, namely, David H. Bradford, is a candidate for the office of Mayor in the election to be held in the City on August 24, 2004 and by virtue of his candidacy is disqualified to perform the duties of preparation, certification, filing and publication of the lists of qualified regular voters as set forth in Section 11-46-36 of the *Code of Alabama of 1975* as amended; and

WHEREAS, the City Council has determined that it is necessary and expedient to appoint a disinterested person to perform the duties set forth in Section 11-46-36 of the *Code of Alabama of 1975*; and

WHEREAS, the City Council does hereby find that the said Richard L. Williams is a disinterested person and is capable of performing the duties set forth in Section 11-46-36 of the *Code of Alabama of 1975* as amended, for and during the elections to be held within the City on August 24, 2004, and during the second election, if necessary, to be held on September 14, 2004;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama that Richard L. Williams is hereby appointed to perform the duties preparation, certification, filing and publication of lists of qualified regular voters and all other duties set forth in Section 11-46-36 of the *Code of Alabama of 1975* for and during the elections to be held within the City on August 24, 2004, and during the second election, if necessary, to be held on September 14, 2004.

Council Member Holland seconded the motion and upon said motion being put to a vote, all voted "AYE". Voting "NAY" 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