

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
July 6, 2015**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:05 p.m. on the 22nd day of July, 2015 being the scheduled time and approved place for said meeting. The meeting was called to order by James Holland, President of the Council. 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, MIKE LOCKHART
 JAMES HOLLAND
ABSENT: ALLEN NOLES

James Holland, President of the Council, 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. Mayor David Bradford was present. Richard Williams, City Clerk, was present and kept the minutes of the meeting.

Upon motion duly made by Council Member Pampinto and seconded by Council Member Willis and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of June 22, 2015 and the Council committee on recreation meeting of June 22, 2015 and approved the minutes as written.

Mayor Bradford reported that work on the East Avalon Avenue project and the Sheffield sidewalk project are progressing.

President Holland announced that the next item of business was consideration of a resolution to appoint a member to the Utilities Board.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2757 - 15

WHEREAS, the term of a member of the Utilities Board of the City of Muscle Shoals has expired 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 a member 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:

Jeff Isbell Tyrus Mansell Don Terry
Kevin Williams

WHEREAS, Tyrus Mansell was determined to have received the best overall ranking on the City Council evaluations, and

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

Council Member Pampinto: Tyrus Mansell
Council Member Willis: Tyrus Mansell
Council Member Lockhart: Tyrus Mansell
Council Member Holland: Tyrus Mansell

WHEREAS, Council President Holland announced that Tyrus Mansell 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 a term effective until July, 2021.

<u>APPOINTEE</u>	<u>BOARD</u>	<u>EXPIRATION OF TERM</u>
Tyrus Mansell	Utilities Board	July, 2021

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

Council Member Willis seconded the motion and upon said motion being put to a vote the following vote was recorded:

AYES: Council Member Pampinto, Council Member Willis, Council Member Lockhart
Council Member Holland

NAYS: None.

President Holland announced that the Resolution had been approved.

President Holland announced that the next item of business was consideration of an ordinance to annex properties owned by Joseph E, Skipworth and Maureen Copeland Skipworth located on Gargis Lane across from Cornelius Landing.

Council Member Willis introduced the following petition and ordinance in writing and moved for its immediate consideration:

STATE OF ALABAMA
COLBERT COUNTY

PETITION FOR UNANIMOUS CONSENT TO ANNEXATION

**TO THE GOVERNING BODY OF THE CITY OF MUSCLE SHOALS,
ALABAMA:**

1. The undersigned, **JOSEPH E. SKIPWORTH** and **MAUREEN COPELAND SKIPWORTH**, being the owners of the hereinafter described real property, do hereby execute and file with the City Clerk this petition in writing requesting that the property hereinafter described be annexed to the City of Muscle Shoals, Alabama, under and by authority of § 11-42-20 through ' 11-42-24, *Code of Alabama, 1975*, said property being more particularly described as follows, to wit:

Property description:

A tract of land described as follows, to wit:

Beginning at a point 429 feet North of the Southwest corner of the W ½ of the NW ¼ of Section 20, Township 4 South, Range 10 West; thence run North a distance of 429 feet to a point; thence run East a distance of 1320 feet to a point; thence run South a distance of 429 feet to a point; thence run West a distance of 1320 feet to the point of beginning, containing 13 acres, more or less.

For purposes of further identification, the tract described herein is further described as Parcel # 20-12-04-20-0-001-015.000 as assessed in the Office of the Revenue Commissioner of Colbert County, Alabama.

The undersigned represents unto the governing body of the City of Muscle Shoals, Alabama as follows:

1. The undersigned constitute all of the owners of the herein described real property, said property being located and contained within an area contiguous to the corporate limits of the City of Muscle Shoals, Alabama.

2. The property sought to be annexed to the City of Muscle Shoals and as described herein does not lie within the corporate limits of any other municipality as required by § 11-42-21 of the *Code of Alabama, 1975*.

3. Attached hereto as Exhibit A and made a part hereof is a map of the property sought to be annexed for purposes of showing its relationship to the corporate limits of the City of Muscle Shoals, Alabama.

NOW, THEREFORE, the undersigned, **JOSEPH E. SKIPWORTH** and **MAUREEN SKIPWORTH**, petition the governing body of the City of Muscle Shoals, Alabama to annex the property described herein to the said municipality and request that the governing body of the City of Muscle Shoals, Alabama propose, consider and adopt an Ordinance assenting to the annexation of the property described herein; that the corporate limits of the said municipality be

extended and rearranged so as to embrace and include the property described herein; that such property described herein shall become and be a part of the City of Muscle Shoals, Alabama upon adoption of said Ordinance and publication thereof or as otherwise provided by law.

IN WITNESS WHEREOF, the said Petitioners, **JOSEPH E. SKIPWORTH** and **MAUREEN COPELAND SKIPWORTH**, have caused this instrument to be executed on this 6th day of July 2015.

s/ Joseph E. Skipworth
JOSEPH E. SKIPWORTH

s/ Maureen Copeland Skipworth
MAUREEN COPELAND SKIPWORTH

STATE OF ALABAMA
COLBERT COUNTY

I, the undersigned authority, a Notary Public in and for said county, in said state, hereby certify that **JOSEPH E. SKIPWORTH** and **MAUREEN COPELAND SKIPWORTH**, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the foregoing petition, they have signed the same voluntarily on the day same bears date.

Given under my hand and official seal this 6th day of July 2015.

s/ Kathi Riley
Notary Public
My Commission expires: 8-30-15

ORDINANCE NUMBER 1475 - 15

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCLE SHOALS, ALABAMA AS FOLLOWS:

Section 1. The City Council of the City of Muscle Shoals, Alabama, as the legislative body of the City, does hereby find and declare that it is in the best interests of the citizens of the City and the citizens in the affected area to bring the territory described herein in Section 2 of this Ordinance into the City of Muscle Shoals, Alabama.

Section 2. The boundary lines of the City of Muscle Shoals, Alabama, be, and the same are hereby, altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Muscle Shoals, Alabama, and in addition thereto, the following described territory:

A tract of land described as follows, to wit:
Beginning at a point 429 feet North of the Southwest corner of the W ½ of the NW ¼ of Section 20, Township 4 South, Range 10 West; thence run North a distance of 429 feet to a point; thence run East a distance of 1320 feet to a point; thence run South a distance of 429 feet to a point; thence run West a distance of 1320 feet to the point of beginning, containing 13 acres, more or less.

For purposes of further identification, the tract described herein is further described as Parcel # 20-12-04-20-0-001-015.000 as assessed in the Office of the Revenue Commissioner of Colbert County, Alabama.

Section 3. This Ordinance shall be published as provided by law and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Colbert County, Alabama.

Section 4. The territory described in this Ordinance shall become a part of the corporate limits of the City of Muscle Shoals, Alabama upon publication of this Ordinance as provided for and set forth in Section 3 of this Ordinance.

Council Member Lockhart seconded the motion and upon said motion 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 Lockhart
Council Member Holland,

NAYS: None

President Holland announced that the motion for immediate consideration was unanimously adopted. Council Member Willis moved that the ordinance be adopted as presented. Council Member Lockhart seconded the motion and upon said motion 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 Lockhart
Council Member Holland

NAYS: None

President Holland announced the vote and declared that the ordinance was approved.

President Holland announced that the next item of business was consideration of a proposal for an audit of the City's communications services for local and long distance voice services, data, internet and wireless services by The Spyglass Group LLC. Reimbursement for their services would be from savings and costs recovered through the audit process.

Council Member Lockhart moved that the Mayor be authorized to execute the agreement with Spyglass Group. Council Member Pampinto seconded the motion and upon said motion being put to a vote the following vote was recorded:

AYES: Council Member Pampinto, Council Member Willis, Council Member Lockhart
Council Member Holland

NAYS: None.

President Holland announced that the motion had been approved.

There being no further business to come before the meeting, upon the motion duly made and seconded the meeting was adjourned.

CITY OF MUSCLE SHOALS, ALABAMA
a Municipal Corporation

COUNCIL MEMBER - PLACE ONE

COUNCIL MEMBER - PLACE TWO

COUNCIL MEMBER - PLACE THREE

COUNCIL MEMBER - PLACE FOUR

COUNCIL MEMBER - PLACE FIVE

ATTEST:

CITY CLERK