

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
August 16, 2004**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 7:00 p.m. on the 19th day of August 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 Paul McDougle. On roll call the following members were found to be present or absent, as indicated:

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

Richard Williams, City Clerk of the City, was present and kept the minutes of the meeting.

James Holland, Mayor Pro Tempore 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 Noles, seconded by Council Member Willis and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting of August 2, 2004 and approved the minutes as written.

Mayor Pro Tempore Holland announced that the next item of business the scheduling of a public hearing to consider the issuance of a Lounge Retail Liquor - Package Store to Buena Vista Spirits Inc. located at 601 Buena Vista Avenue.

Mayor Pro Tempore Holland announced that at a meeting to be held at the City Hall in said City at 7:00 p.m. on the 7th day of September, 2004 the Council will consider the approval of the issuance of the a Lounge Retail Liquor - Package Store to Buena Vista Spirits Inc., all persons who desire to do so shall have an opportunity of being heard in opposition to or in favor of the issuance of such license.

Mayor Pro Tempore Holland 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 Pro Tempore Holland announced that at a meeting to be held at the City Hall in said City at 7:00 p.m. on the 7th day of September 2004, 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-3 District in which it is now situated, and is hereby incorporated in and made a part of the B-2 District, to wit:

Tract 1:

The South 50' of the following described property:

A tract of land in the SW 1/4 of Section 18, Township 4 South, Range 10 West, Colbert County, Alabama, and being more particularly described as follows: Commence at the Northwest corner of the SW 1/4 of said Section 18; thence South 88° 20' 55" East, 50.00 feet to a point on the East right of way line of Wilson Dam Highway; thence along said right of way line South 0° 22' 50" West 200.00 feet to the point of beginning of the tract of land hereby described; thence South 88° 20' 55" East 412.00 feet to a point; thence South 0° 22' 50" East 100.00 feet to a point; thence North 88° 20' 55" West 412.00 feet to a point on then East right of way line of Wilson Dam Highway; thence along said right of way line North 0° 22' 50" West 100.00 feet to the point of beginning of the tract of land hereby described.

Tract 2:

A tract of land in the SW 1/4 of Section 18, Township 4 South, Range 10 West, Colbert County, Alabama, and being more particularly described as follows: Commence at the Northwest corner of the SW 1/4 of said Section 18; thence South 88° 20' 55" East, 50.00 feet to a point on the East right of way line of Wilson Dam Highway; thence along said right of way line South 0° 22' 50" West 300.00 feet to the point of beginning of the tract of land hereby described; thence South 88° 20' 55" East 412.00 feet to a point; thence South 0° 22' 50" East 100.00 feet to a point; thence North 88° 20' 50" West 412.00 feet to a point on the East right of way line of Wilson Dam Highway; thence along said right of way line North 0° 22' 50" West 100.00 feet to the point of beginning of the tract of land hereby described.

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 Pro Tempore Holland announced that the next item of business was consideration of a resolution to appoint additional election officials for the Municipal General Election August 24, 2004 and the Runoff Election, if necessary, September 14, 2004.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2059 -04

WHEREAS, a regular municipal election has been called to be held on the 24th day of August 2004, and a runoff election, to be held if necessary, on the 14th day of September 2004 and

WHEREAS, the Mayor and City Council are required to appoint from the qualified electors, officers to hold the election, and

WHEREAS, certain officers previously appointed to hold the election have now determined they will be unable to fulfill their duties, now

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCLE SHOALS, ALABAMA that the following individuals are appointed and summoned to serve during the regular municipal election on the 24th of August 2004 and the runoff election, if necessary on September 14th 2004:

FIRST SOUTHERN BAPTIST CHURCH - BOX 1

Donogene Wilson- Clerk

SOUTHGATE MALL - BOX 3

Mary Eubanks- Clerk

ALTERNATE

Sue Dean - Clerk

BE IT FURTHER RESOLVED that the following compensation be established for the respective officials: Inspector \$100.00 per day; Clerk \$85.00 per day.

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

Mayor Pro Tempore Holland announced that the resolution had been approved.

Mayor Pro Tempore Holland announced that the next item of business was consideration of an alternate meeting date for the next regular meeting scheduled for September 6, 2004, Labor Day.

Council Member Yarber moved that the meeting date for the next regular meeting be changed to Tuesday, September 7, 2004 at 7:00 pm.

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

Mayor Pro Tempore Holland announced that the motion had been approved.

There being no further business to come before the meeting, upon the motion duly made by Council Member Willis and seconded by Council Member Bradford and unanimously carried, the meeting was continued until Tuesday, August 24, 2004 at 8:00 p.m. in order to canvass the votes from the General Municipal Election.

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