

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
August 7, 2006**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:30 p.m. on the 7th day of August 2006 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 Bill Howard. 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 Noles and unanimously adopted, the Council waived the reading of the minutes of the previously held work session and regular meeting of July 17, 2006 and approved the minutes as written.

Mayor Bradford announced that the next item of business was consideration of a resolution to award a one year bid for the purchase of fuel products.

Council Member Noles introduced the following resolution which was presented in the meeting:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2221-06

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 July 27, 2006, 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>Markup Profit Above Rack Price:</u>
Tatum Oil Company	\$.0594
Baggett oil Company	\$.069
McPherson Oil Company	\$.0692
Mansfield Oil Company	\$.0794
Webb Oil Company	\$.0794
O'Steen Oil Company	\$.083
Carter Oil Company	No Bid

[3] The lowest, responsive, responsible, bidder after evaluation and verifying the bid with the specifications, has been determined as Tatum Oil Company with a bid price of \$.0594 per gallon profit markup above rack price. The apparent low and best bidder, Tatum Oil Company is now awarded the bid for the purchase of fuel products, with said bid being awarded for a twelve month period. Award shall begin on August 8, 2006, and end on August 5, 2007.

Council Member Willis 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 to reject bids for the purchase of a fire safety trailer.

Council Member Willis introduced the following resolution which was presented in the meeting:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NO. 2222 - 06

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 a new, fire safety training house trailer, the bid opening being set for the 31st day of July, 2006, 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>BASE BID PRICE:</u>	<u>OPTIONS:</u>	<u>TOTAL BID:</u>
Mobile Concepts by Scotty	\$35,586.00	+ \$11,880.00	= \$47,466.00
Surrey Fire Safety House	\$35,965.00	+ \$13,335.00	= \$49,300.00

[3] Evaluation of the bids results in the determination that all bids received are non-responsive bids, in that each bid includes exceptions to the minimum specifications required.

The exceptions are outlined below:

Mobile Concepts by Scotty

1. Hitch and axle weights to not meet specification requirements
2. Control room does not include cabinets and bench as required
3. No bid bond included

Surrey Fire Safety House

1. Exterior lights are 12-V as opposed to the 110-V required
2. 911 training phone is not hands free unit as required

[4] Be it hereby resolved that all bids for the purchase of a fire safety training house trailer are hereby rejected, and the Purchasing Agent is authorized to advertise for bids with modified specifications.

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 the adoption of an Ordinance to amend the Zoning Ordinance and Zoning Map of the City of Muscle Shoals, Alabama. The area being considered for rezoning is a tract located at the south side of Eason Avenue between Woodward Avenue and John R Street and is more particularly described as follows:

ORDINANCE NO. 1373-06

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, currently zoned R-3 is hereby incorporated in and made a part of the B-2 District, to wit:

Lot #'s 1447 and 1448 located on the south side of Eason Avenue, Highland Park Subdivision Colbert County tax parcel # 07-07-35-2-008-005.000.

Property owner is required to erect an 8' privacy fence along the eastern boundary of the property upon commencement of improvements to the property.

The Council finds that legal notice of the following proposed amendment to the Zoning Ordinance of the City of Muscle Shoals, Alabama, was published by posting the same in four (4) conspicuous places in the City of Muscle Shoals, Alabama, 15 days prior to the date hereof, there being no newspaper published in the City of Muscle Shoals, and said notice set for public hearing on the 7th day of August 2006, at 6:30 o'clock p.m., in the Chambers of the Council of the City

of Muscle Shoals located in the City Hall, Muscle Shoals, Alabama, for all persons to appear to be heard either for or against the adoption of said amendment; and

WHEREAS, said public hearing was held and Mayor Bradford announced that now was the proper time for persons in favor and those in opposition to the ordinance to be recognized.

There being no one wishing to speak, Mayor Bradford announced that the adoption of the Ordinance was now before the Council. All those in favor of the Ordinance would indicate so by voting aye and those opposed would indicate by voting nay. Upon said motion being put to a roll call vote, a vote 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 ordinance had been adopted.

Mayor Bradford announced that the next item of business was consideration of a resolution to appoint board members to the Health Care Authority of North Alabama.

Council Member Grissom introduced the following resolution which was presented in the meeting:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2223 - 06

WHEREAS, the City Council of Muscle Shoals, Alabama is the appointing authority for certain members to the Board of Directors of The Health Care Authority of North Alabama d/b/a HealthGroup of Alabama; and

WHEREAS, the City Council deems it necessary and expedient that said appointments be made to insure the continued efficient and orderly conduct of the The Health Care Authority of North Alabama d/b/a HealthGroup of Alabama's business; and

WHEREAS, the City Council has determined that the nominations for members to the Board of Directors have been submitted in accordance with the Certificate of Incorporation of The Health Care Authority of North Alabama d/b/a HealthGroup, and

WHEREAS, the City Council finds it necessary and expedient to appoint the members to the Board of Directors for Places 5, 8, 9 and 11 and hereby proceeds to do so;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama that the following named persons are hereby appointed as members of the Board of Directors of The Health Care Authority of North Alabama d/b/a HealthGroup of Alabama, said appointments for the places on the Board of Directors hereinafter set forth by the names of the appointees and for the terms expiring as shown herein:

<u>Place #</u>	<u>Appointee</u>	<u>Expiration of Term</u>
Place 5	John D. (Jack) Davis	June 30, 2012
Place 8	Jean Templeton	June 30, 2012
Place 9	Gary Beam	June 30, 2012
Place 11	Tom Whatley	June 30, 2008

BE IT FURTHER RESOLVED by the City Council of Muscle Shoals, Alabama that the Clerk of the City shall prepare a certified copy of this Resolution and deliver a copy of same to the Chief Executive Officer of The Health Care Authority of North Alabama d/b/a HealthGroup of Alabama.

Council Member Pampinto 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 to authorize the Mayor to execute a contract with White, Lynn, Collins & Associates, Inc. for engineering and inspection services for the 2005 Sidewalk project.

Council Member Grissom introduced the following resolution which was presented in the meeting:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2224-06

WHEREAS, the City Council of the City of Muscle Shoals, Alabama has received an instrument styled Contract for Construction Engineering and Inspection Services for Project STPTE-TE05(957) with White, Lynn, Collins & Associates, Inc. pertaining to the 2005 Sidewalk Project in the City of Muscle Shoals; and

WHEREAS, the City Council has reviewed the contents of the instrument and finds that said instrument is in due form and proper order and upon consideration of same determines that it is wise and expedient that the City execute and deliver said instrument to White, Lynn, Collins & Associates, Inc. And other interested parties; and

WHEREAS, the City Council finds that other instruments and related documents may be required in connection with said project and is desirous of authorizing the execution and delivery of other instruments and related documents in connection with said project and the facilitation of the commencement and completion of the said project herein above described;

BE IT HEREBY RESOLVED that the City Council of the City of Muscle Shoals, Alabama, does hereby authorize and direct the Mayor of the City, David H. Bradford, for and on behalf of the City to execute the instrument pertaining the 2005 sidewalk project in the City of Muscle Shoals;

Project STPTE-TE05(957), City of Muscle Shoals

BE IT FURTHER RESOLVED that the Mayor of the City, David H. Bradford, be, and hereby is, authorized to execute and deliver any instruments and related documents in connection with the installation of said project herein described that may be required during the commencement of and through the completion of the said project.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be prepared forthwith by the Clerk and delivered unto White, Lynn, Collins & Associates, Inc. and the State of

Alabama along with the executed instrument pertaining to the project herein described and furthermore shall retain a copy to be kept on file by the said Clerk.

Council Member Holland 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.

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