

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
September 4, 2007**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:30 p.m. on the 4th day of September 2007 being the regularly scheduled time and approved place for said meeting. The meeting was called to order by James Holland, Mayor Pro-Tem 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
ABSENT: DAVID H. BRADFORD

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

James Holland, Mayor Pro-Tem 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 Pampinto, seconded by Council Member Willis and unanimously adopted, the Council waived the reading of the minutes of the previously held work session and regular meeting of August 20, 2007 and approved the minutes as written.

Mayor Pro-Tem Holland announced that the next item of business was the scheduling of a public hearing to consider the issuance of a Lounge Retail Liquor License - Class II (Package) to Jazzy's Package Store Corp. dba Jazzy's Package Store, 1688 Wilson Dam Highway.

Mayor Pro-Tem Holland announced that at a meeting to be held at the City Hall in said City at 6:30 p.m. on the 1st day of October 2007, the Council will consider the approval of the license. 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 approval of such license.

Mayor Pro-Tem Holland 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 603 E. Ford Avenue and is more particularly described 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, currently zoned R-2 is hereby incorporated in and made a part of the B-2 District, to wit:

Lots 610 thru 611 in Highland Park #3 Subdivision, lots are located at 603 E. Ford Avenue. This tract of property is 80' by 120'. Colbert County Tax Parcel # 07-07-35-3-008-005.000.

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 4th day of September 2007, 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 Pro-Tem Holland announced that now was the proper time for persons in favor and those in opposition to the ordinance to be recognized.

Phillip Fretwell, 604 E. Ford expressed his opposition to the rezoning. Speaking on behalf of his neighbors in attendance, he expressed his concern with increase traffic and resulting lower property values. He also expressed his concern over future businesses that could occupy the property and noted that there are a number of available buildings in commercial zones presently.

Brett Woodis, owner of the property, spoke in favor of the rezoning. He noted that the hair salon is an established business in the city that operates on an appointment only basis. He stated that traffic should not be an issue and he does not intend to harm the neighborhood. His intentions are for the property to remain a hair salon and should that intent change he would offer the property to the church for their development. Mr. Woodis noted that the Planning Commission had recommended the rezoning and indicated that he would meet all building requirements for commercial property.

There being no one else wishing to speak, Pro-Tem Holland 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: None

NAYS: Council Member Pampinto, Council Member Willis, Council Member Grissom
Council Member Holland, Council Member Noles

Mayor Pro-Tem Holland announced that passage of the ordinance had failed.

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