

SPECIAL MUNICIPAL TAX ELECTION CANVASS PROCEEDINGS

The Mayor stated that this was the date fixed by law for the canvass of the returns of the special municipal tax election held in the City on August 28, 2018, which had been called by Ordinance No. 1507-18, adopted on June 4, 2018. The Council, constituting a board of canvassers, thereupon proceeded to canvass the returns respecting the proposition submitted to the electors of the City at the said election, and upon completion of such canvass the following ordinance, together with the preambles thereto, was introduced in writing by Councilmember Sockwell:

ORDINANCE NUMBER 1509 - 18

AN ORDINANCE CANVASSING AND DECLARING THE RESULTS OF A SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF MUSCLE SHOALS, ALABAMA, ON TUESDAY, AUGUST 28, 2018, REGARDING AN INCREASE IN THE RATE OF A PROPERTY TAX FOR PUBLIC SCHOOL PURPOSES

WHEREAS, at a meeting of the City Council ("the Council") of the City of Muscle Shoals ("the City") in the State of Alabama held on June 4, 2018, Ordinance No. 1507-18 was duly adopted by the Council in which a special municipal election was called to be held in the City on August 28, 2018 (being the fourth Tuesday in the month of February), for the purpose of submitting to the qualified electors of the City to determine their will with respect to the following proposition:

Whether the City shall be authorized to levy and collect, in addition to all other taxes now or hereafter authorized, the special annual ad valorem tax heretofore authorized for public school purposes to be levied and collected at the per annum rate of 7.5 mills at the increased per annum rate of 12.5 mills on each dollar of the assessed valuation of the taxable property in the City referred to in the notice of election set out in Section 3 of this ordinance.

WHEREAS, notice of the said election was posted in four public places in the City (viz., Office of the Mayor at City Hall, 2010 East Avalon Avenue; the Charles R. Mitchell Public Library; the Muscle Shoals Recreation Building #1, Gattman Park; and First Metro Bank, Muscle Shoals branch), there being no newspaper published and having general circulation in the City, in the form provided in the said ordinance, said posting having been more than thirty days before the date of the said election, and having also been on or before the fourth Tuesday of the second month next preceding the month in which the said election was held;

WHEREAS, the said election was held in the City on August 28, 2018, in all respects as provided in the said notice between the hours of 7:00 o'clock, a.m., and 7:00 o'clock, p.m., being the legal hours provided by law for holding the said election, and the ballot used in the said election was in all respects in the form therefor set out in the said ordinance, and the officials who conducted the said election have duly made and duly filed with the Council their respective reports, returns, and certificates; and

WHEREAS, the Council is required by law to canvass the returns of the said election on the first Tuesday next after the said election, and declare the results thereof, and at a meeting of the Council held on September 4, 2018, the Council, acting as a board of canvassers, has duly canvassed the said returns and ascertained the results of the said election with respect to the said proposition;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Muscle Shoals, acting as a board of canvassers for the purpose of canvassing the results of the said election, as follows:

- (1) the recitations contained in the foregoing preambles are hereby found and declared to be true and are hereby adopted as a part of this ordinance;
- (2) the said election was duly called, notice thereof was duly given, and the said election was duly held and the ballots used thereat were in all respects as provided by law;
- (3) at the said election on the said proposition, the canvass of the returns indicated the following:

<u>Box No.</u>	<u>Location of Voting Place</u>	<u>For Increase of Rate of School Tax</u>	<u>Against Increase of Rate of School Tax</u>
Box 1	First Southern Baptist Church 3806 South Wilson Dam Road Muscle Shoals, Alabama	168	542
Box 2	Gattman Park Recreation Center 1000 Gattman Park Drive Muscle Shoals, Alabama	139	490
Box 3	Woodward Avenue Baptist Church – Activities Center 801 Woodward Avenue Muscle Shoals, Alabama	87	481
Box 4	United Association of Plumbing and Pipefitting Industry – Pavilion 2803 East Avalon Avenue Muscle Shoals, Alabama	36	242
Box 5	Grace Life Church 1915 Avalon Avenue Muscle Shoals, Alabama	139	672
Box 6	Muscle Shoals City Hall 2010 East Avalon Avenue Muscle Shoals, Alabama	127	571
	Absentee Balloting: Muscle Shoals City Hall 2010 East Avalon Avenue Muscle Shoals, Alabama	14	69
	PROVISIONAL BALLOTS	0	2
	TOTALS <u> </u>	710	3069

(4) at the said election on the said proposition a total of 3779 votes were received and cast; of the said votes so received and cast 710 votes were received and cast for the increase in the said special tax and 3069 votes were received and cast against the increase in the said special tax; that the number of votes received and cast in the said election in favor of the increase in the said special tax were 2359 votes less than the number of votes received and cast in the said election against the increase in the said special tax; and that at the said election a majority of the qualified electors of the said City who voted thereat voted against of the increase in the said special tax.

BE IT FURTHER ORDAINED, that this ordinance shall comprise the canvass and declaration by the Council of the results of the aforesaid election and shall be recorded in the minutes of the proceedings of the City.

Adopted this 4th day of September, 2018.

s/ Allen Noles

Council President Noles

ATTEST:

s/ Richard L. Williams

Richard L. Williams, City Clerk

[S E A L]

Councilmember Sockwell moved that the rules be suspended and unanimous consent be given for immediate consideration of and action on the said ordinance, which motion was seconded by Councilmember Lockhart and, upon the same being put to vote, the following vote was recorded:

	<u>YEAS</u>	<u>NAYS</u>
Councilmembers	Chris Hall Neal Willis Mike Lockart Ken Sockwell	
Council President	Allen Noles	

Council President Noles thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said ordinance had been unanimously carried. Councilmember Sockwell thereupon moved that the foregoing ordinance be adopted, which motion was seconded by Councilmember Lockhart and, upon the same being put to vote, the following vote was recorded:

YEAS

NAYS

Councilmembers	Chris Hall
	Neal Willis
	Mike Lockart
	Ken Sockwell
Council President	Allen Noles

Council President Noles thereupon announced that the motion for the adoption of the said ordinance had been unanimously carried.

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