

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
March 17, 2014**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals Public Library in said City at 6:35 p.m. on the 17th day of March, 2014 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 Ricky Williams. On roll call the following members were found to be present or absent, as indicated:

PRESENT: JOE PAMPINTO, NEAL WILLIS, MIKE LOCKHART
 JAMES HOLLAND, ALLEN NOLES
ABSENT: NONE

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

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 regular meeting and work session of March 3, 2014 meeting and approved the minutes as written.

President Holland announced that the next item of business was to reschedule the April 7, 2014 Council meeting.

Council Member Willis moved that the April 7th meeting be rescheduled to April 14, 2014 at the approved time and place. Council Member Lockhart seconded the motion and upon said motion being put to a vote all voted "AYE" and "NAYS" were none.

President Holland announced that the motion had been approved.

President Holland announced that the next item of business was to authorize the purchase of a rapid deployment vehicle for the police department through the Houston-Galveston Area Council purchasing cooperative.

Council Member Lockhart introduced the following resolution and moved that the rules be suspended for immediate consideration:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2678 - 14

WHEREAS, the City Council of the City of Muscle Shoals, Alabama approved and adopted the budget for fiscal year 2013-2014 which included the purchase of a rapid deployment vehicle to be utilized in the police department; and

WHEREAS, the Procurement Agent advised that the purchase must comply with the Alabama Competitive Bid Law requirements, and that a cooperative contract approved by the State of Alabama is valid for such purchase; and

WHEREAS, the Procurement Agent further advised that the purchase price for the vehicle is \$69,724.00 to be purchased from Chastang Enterprises, dba Chastang Ford and further that Chastang Ford is the awarded contractual vendor with Houston-Galveston Area Council (H-GAC) the State of Alabama approved purchasing cooperative; now

THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals that Chastang Ford, the contractual vendor of Houston-Galveston Area Council (H-GAC) is awarded the purchase of a rapid deployment vehicle for the total purchase price of \$69,724.00.

Council Member Noles seconded the motion and upon said question 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, Council Member Noles

NAYS: None

President Holland announced that the motion for immediate consideration had been approved. Council Member Lockhart moved that the resolution be adopted. Council Member Noles seconded the motion and upon said motion being put to a vote, a roll call was had and the vote was recorded as follows:

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

NAYS: None

President Holland announced that the resolution had been approved.

President Holland announced that the next item of business was to consider the establishment of a defensive driving school.

Council Member Noles introduced the following resolution and moved that the rules be suspended for immediate consideration:

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2679 - 14

WHEREAS, it has been determined that the City of Muscle Shoals has both a need and a desire to create and establish a defensive driving school, and

WHEREAS, the City Council of the City of Muscle Shoals has decided to establish The Muscle Shoals Defensive Driving School according to the following guidelines:

A. The Muscle Shoals Defensive Driving School (hereinafter referred to as the Defensive Driving School or DDS) will offer driver education courses, to be taught under the supervision of an instructor, or instructors, who are certified by the Alabama Safety Council, Inc.

B. At the discretion of the Judge of the Muscle Shoals Municipal Court, persons who have been charged with the violation of a municipal ordinance relating to a driving defense within the City of Muscle Shoals, or its police jurisdiction, may enroll and complete the course.

C. The Defensive Driving School shall be administered by the Muscle Shoals Municipal Court Clerk/Magistrate.

D. Each course shall be at least four (4) hours in length and shall be held at such times as determined by the Court Clerk/Magistrate. Any person seeking to attend the course must register with the Court Clerk/Magistrate prior to taking the course.

E. The costs of the course shall be \$150.00, which shall be paid prior to taking the course. Persons seeking to re-schedule the time or date of their course, must re-schedule no less than 24 hours in advance of the original date, and shall be charged a re-scheduling fee of \$35.00.

F. The Judge of the Muscle Shoals Municipal Court may take into consideration the fact that a person charged with the commission of a driving related offense within jurisdiction of the Court, has completed the Defensive Driving School and may order that case be dismissed, with or without court costs.

G. The City Council hereby authorizes the Mayor of the City of Muscle Shoals to enter into and execute on behalf of the City of Muscle Shoals the "Sub-Agency Agreement" with the Alabama Safety Institute, Inc. a copy of which is attached hereto.

H. The court system requests the City to establish a Defensive Driving School Administrative Fund in the amount of \$15.00 per person attending the school, to

be paid to the instructor, from registration fees. Funds would remain under the control of the City Clerk.

I. Any instructor(s) will be under the direction of the City Court Clerk, who will assign them to their duties and request payment for their duties performed. The Court Clerk/Magistrate will only be responsible for signing up the defendants allowed to attend the DDS.

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Muscle Shoals, Alabama does hereby establish its own Defensive Driving School according to the specifications and guidelines set forth above.

Council Member Pampinto seconded the motion and upon said question 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, Council Member Noles

NAYS: None

President Holland announced that the motion for immediate consideration had been approved. Council Member Noles moved that the resolution be adopted. Council Member Pampinto seconded the motion and upon said motion being put to a vote, a roll call was had and the vote was recorded as follows:

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

NAYS: None

President Holland announced that the resolution had been approved.

President Holland announced that the next item of business was to consider a resolution to authorize the purchase of a fire truck through the Houston-Galveston Area Council purchasing cooperative and to declare a 1992 E-One firetruck as surplus.

Council Member Pampinto introduced the following resolution and moved that the rules be suspended for immediate consideration:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2680 - 14

WHEREAS, the City Council of the City of Muscle Shoals, Alabama approved the purchase of a demonstrator model fire apparatus truck to be utilized in the fire department; and

WHEREAS, the Procurement Agent advised that the purchase must comply with the Alabama Competitive Bid Law requirements, and that a cooperative contract approved by the State of Alabama is valid for such purchase; and

WHEREAS, the Procurement Agent further advised that the purchase price for the demonstrator fire apparatus truck is \$310,990.00 to be purchased from Sunbelt Fire Inc. and further that Sunbelt Fire Inc. is the awarded contractual vendor with Houston-Galveston Area Council (H-GAC) the State of Alabama approved purchasing cooperative; and

WHEREAS, the City Council has been informed by the Fire Chief that upon delivery of the new fire apparatus truck, certain equipment used in the performance of their duties is no longer efficient and cannot be economically repaired and maintained for use by the Fire Department; and

WHEREAS, the City Council is informed that certain local area fire departments have expressed an interest in purchasing the fire apparatus; and

WHEREAS, the City Council has determined that contingent upon the delivery and acceptance by the City of the approved and purchased new demonstrator model fire apparatus truck, the said fire truck is surplus property and the City has no further use for said equipment due to its age and condition and it is not economical for the City to refurbish, retool or refit the said equipment in order that it be placed in service in the Fire Department; now

THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals that Sunbelt Fire Inc., the contractual vendor of Houston-Galveston Area Council (H-GAC) is awarded the purchase of a demonstrator model fire apparatus truck for the total purchase price of \$310,990.00; and the Procurement Agent and Fire Chief have been authorized to negotiate the sale of certain equipment to a local fire department for a selling price of no less than \$40,000.00 and at no expense to the City:

Description of Property	Asset #
1992 E-One Protector Tilt Fire Apparatus VIN: 4ENRAAA87N1009889	2308010044

Council Member Willis seconded the motion and upon said question 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, Council Member Noles

NAYS: None

President Holland announced that the motion for immediate consideration had been approved. Council Member Pampinto moved that the resolution be adopted. Council Member Willis seconded the motion and upon said motion being put to a vote, a roll call was had and the vote was recorded as follows:

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

NAYS: None

President Holland announced that the resolution had been approved.

The Council agreed to interview applicants for appointment to the Board of Education on April 14th prior to the 5:30 pm work session.

There being no further business to come before the meeting, upon the motion duly made, seconded and unanimously carried, 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