

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
March 22, 2010**

The Council of Muscle Shoals, Alabama met at the City Hall in said City at 6:20 p.m. on the 22nd day of March, 2010 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 Ricky Williams. 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, 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.

Mayor Bradford read a proclamation declaring April, 2010 as “Earth Month and City-Wide Clean-up Month” in the City.

Mayor Bradford presented a Certificate of Recognition to Colton McKinney for his Eagle Scout service project to beautify the Gattman Park walking trail.

Upon motion duly made by Council Member Holland seconded by Council Member Pampinto and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of March 1, 2010 and approved the minutes as written.

At this time, Mr. Leon Madden, 203 Elliott Avenue appeared before the Council and encouraged everyone to complete their 2010 Census form.

Mayor Bradford announced that the next item of business was a public hearing to consider the issuance of a Retail Table Wine License (Off premises only) to Walgreen Co, dba Walgreen's, 1801 Woodward Avenue.

Mayor Bradford noted that proper notice of the date, time and place of said hearing had been given and the matter was before the Council.

Mayor Bradford stated that the Council would hear from those persons in support of the issuance of the license as well as those opposed.

There being no one wishing to speak, Mayor Bradford stated that approval of the license application was before the Council. All those in favor of the application would indicate so by voting aye and those opposed would indicate by voting nay. 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 Grissom, Council Member Holland, Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford announced that the license had been approved.

Mayor Bradford announced that the next item of business was the scheduling of a public hearing to consider the issuance of a Retail Table Wine License (Off premises only) to SHAGUN Inc. dba Macs First Stop, 503 Hwy 43 South.

Mayor Bradford noted that proper notice of the date, time and place of said hearing had been given and the matter was before the Council.

Mayor Bradford stated that the Council would hear from those persons in support of the issuance of the license as well as those opposed.

There being no one wishing to speak, Mayor Bradford stated that approval of the license application was before the Council. All those in favor of the application would indicate so by voting aye and those opposed would indicate by voting nay. 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 Grissom, Council Member Holland, Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford announced that the license had been approved.

Mayor Bradford announced that the next item of business was 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. The area being considered for zoning are tracts located along the south side of East Pasadena Avenue between Woodward Avenue and John R. Street and is more particularly described as follows:

ORDINANCE NO. 1424-10
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 area is hereby eliminated from the R-2 District in which it is now situated, and is hereby incorporated in and made a part of the B-2 District, to wit:

Lots 648 - 651 in Highland Park Subdivision, Plat #3

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 22nd day of March, 2010, 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 presentation of the annual financial audit report for the year ended September 30, 2009 and the audit report for the Other Post Employment Benefits Trust for the year ended September 30, 2009. City Clerk/Treasurer Ricky Williams presented the reports as prepared by Leigh, King & Associates. Mayor Bradford directed that the reports be spread upon the minutes of the meeting as follows:

Mayor Bradford announced that the next item of business was consideration of a resolution to appoint a member to the Northwest Alabama Regional Airport Authority Board.

Mayor Bradford called for a vote on the candidates for appointment and a roll call vote was had and the vote recorded as follows:

Council Member Pampinto: James Michael Self
Council Member Willis: James Michael Self
Council Member Grissom: James Michael Self
Council Member Holland: James Michael Self
Council Member Noles: James Michael Self
Mayor Bradford: James Michael Self

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

RESOLUTION NUMBER 2429 - 10

WHEREAS, the term of a member of the Airport Authority Board has expired and the City Council being desirous of making the necessary appointment to said board within the City;

WHEREAS, notice was given to the public of said pending vacancy and applications solicited for members to said board;

WHEREAS, the following individual made proper application and met the requirements for appointment, is eligible for appointment to fill the pending vacancy:

James Michael Self

WHEREAS, James Michael Self was the lone applicant and determined to be eligible for appointment, and

WHEREAS, a roll call vote was had by the Mayor and City Council as follows:

Council Member Pampinto: James Michael Self
Council Member Willis: James Michael Self
Council Member Grissom: James Michael Self
Council Member Holland: James Michael Self
Council Member Noles: James Michael Self
Mayor Bradford: James Michael Self

WHEREAS, Mayor Bradford announced that James Michael Self had received a majority of the votes cast, now

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama does hereby appoint the following named person to serve as set forth herein:

<u>APPOINTEE</u>	<u>BOARD</u>	<u>EXPIRATION OF TERM</u>
James Michael Self	Airport Authority Board	March 2013

The Clerk is hereby directed to notify the above named person of their appointment and to further notify the respective board of said appointment.

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 authorizing the Mayor to execute an agreement with the Alabama Department of Transportation for Project STMTE-TE09(947). The project was previously approved as the 2009 Sidewalk project STPTE-TE(947).

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2430 - 10

BE IT RESOLVED, by the City of Muscle Shoals as follows:

1. That the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a Transportation Enhancement project with funding by the Federal Highway Administration, which agreement is before the Council;
2. That the Agreement be executed in the name of the City, for and on behalf of the City, by its Mayor;
3. That the Agreement be attested by the City Clerk and the seal of the City affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City Clerk.

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 consideration of a resolution authorizing the Mayor to execute an agreement with the North Alabama Cooperative Purchasing Association.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2431 - 10

WHEREAS, the City Council of the City of Muscle Shoals is desirous of expending public funds for the acquisition of goods and services in the most cost efficient ways possible; and

WHEREAS, the North Alabama Cooperative Purchasing Association was established by its members under the authority of the Code of Alabama 41-16-50 to create economic advantages in joint purchasing of goods and services; and

WHEREAS, the City Council has determined that participation in the North Alabama Cooperative Purchasing Association will provide alternate purchasing options at significant savings to the City, now

THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama that the Mayor is hereby authorized to execute a participation agreement with the North Alabama Cooperative Purchasing Association.

Council Member Grissom moved that unanimous consent be given for immediate consideration of said Resolution, which motion was seconded by Council Member Noles 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 Grissom,
Council Member Holland, Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford announced the vote and declared that the motion for unanimous consent for immediate consideration had been approved. Council Member Grissom then moved that the said resolution be finally adopted and spread upon the minutes of the meeting, which motion was seconded by Council Member Noles and, upon said motion being put to a vote, a roll call on final approval 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 thereupon declared said motion carried and the Resolution passed and adopted as introduced.

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

MAYOR

COUNCIL MEMBER - PLACE ONE

COUNCIL MEMBER - PLACE TWO

COUNCIL MEMBER - PLACE THREE

COUNCIL MEMBER - PLACE FOUR

COUNCIL MEMBER - PLACE FIVE

ATTEST:

CITY CLERK