

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
March 25, 2013**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall Auditorium in said City at 6:40 p.m. on the 25th day of March, 2013 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, MIKE LOCKHART, JAMES HOLLAND,
 ALLEN NOLES
ABSENT: NEAL WILLIS

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 Noles and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of March 4, 2013 and the March 25th Recreation Committee meeting and approved the minutes as written.

Mayor Bradford read aloud a proclamation declaring April, 2013 as “Donate Life Month” in the city.

President Holland announced that the next item of business was a public hearing to consider the issuance of a Lounge Retail Liquor- Class II (Package) License to Ricky Gene Moore III dba Valley Spirits & Wine located at 309 River Road.

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

President Holland 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, President Holland stated that approval of the liquor license 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 Lockhart,
Council Member Holland, Council Member Noles

NAYS: None

President Holland announced that the license had been approved.

President Holland announced that the next item of business was consideration of a resolution opposing passage of House bill 257 and Senate bill 217 in the Alabama Legislature.

Council Member Noles introduced the following resolution and moved for its adoption:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NO. 2607 - 13

A RESOLUTION OPPOSING THE PASSAGE BY THE ALABAMA LEGISLATURE OF COMPANION BILLS HB257 AND SB217 AND ANY OTHER SIMILAR LEGISLATION.

WHEREAS, HB257 by Representative Barry Moore has been introduced into the Alabama House of Representatives during the 2013 Regular Session currently convened; and

WHEREAS, SB217 by Senator Vivian Figures has been introduced into the Alabama Senate during the 2013 Regular Session currently convened; and

WHEREAS, both bills are designed to amend the Constitution of Alabama of 1901 to prohibit the imposition of a business license tax by a county or municipality on the rental of residential real estate on a per unit basis unless the tax was imposed before January 1, 2013; and

WHEREAS, the proposed legislation is a constitutional amendment that places in our state's foundational governing document a further restriction on local authority for municipal and county governments; and

WHEREAS, municipal and county governments already have limited options to raise sufficient revenues to meet the needs of local jurisdictions to provide key services including police protection, fire protection, water, sewer, sanitation, education and many others; and

WHEREAS, this proposed legislation further limits the options available to local governments to fund essential services; and

WHEREAS, this proposal is vague in its wording and could impact a variety of municipal and county governments as well as other institutions that have responsibility to finance bonded indebtedness; and

WHEREAS, taxation on a per unit basis is absolutely essential to local governments which have a significant number of residential rental properties, many of which are owned by absentee landowners; and

WHEREAS, municipal officials need the flexibility to develop business license fees and requirements based on local needs and conditions; and

WHEREAS, negatively impacting and altering current practice by placing the proposed restrictions in the Alabama Constitution is both overreaching and unwise;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the Muscle Shoals,, Alabama, that the Council submits to the Alabama Legislature its official statement of opposition to the passage of HB257, SB217, and any other similar legislation as an unwelcome intrusion on the authority of local governments in Alabama to structure and levy business license fees based on local needs and conditions; and

BE IT FURTHER RESOLVED that the City Council of Muscle Shoals, Alabama, formally requests its legislative delegation to ardently oppose any legislation attempting to effect such amendment and to vote against any such legislation .

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 resolution had been approved.

President Holland announced that the next item of business was approval of a job description for the Senior Maintenance Worker in Parks & Recreation. Parks & Recreation Director Rusty Wheelles presented the proposed job description. Council Member Lockhart moved that unanimous consent be given for immediate consideration of the job description. Council Member Pampinto seconded the motion and upon said motion being put to a vote the following vote was recorded:

AYES: Council Member Pampinto, 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 job description be approved as presented. 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 Lockhart, Council Member Holland,
Council Member Noles

NAYS: None

President Holland announced the vote and declared that the job description was adopted and approved.

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