

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
January 20, 2009**

The Council of Muscle Shoals, Alabama met at the City Hall in said City at 6:30 p.m. on the 20th day of January 2009 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 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
ABSENT: DAVID H. BRADFORD

Richard Williams, City Clerk, 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 regular meeting and work session of January 5, 2009 and approved the minutes as written.

Mayor Pro-Tem Holland announced that the next item of business was consideration of a resolution to declare a recycling trailer in the Public Works Department surplus.

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

**STATE OF ALABAMA
COLBERT COUNTY**

RESOLUTION NUMBER 2375 - 09

WHEREAS, the City Council has been informed by the Public Works Director that a 24 foot recycling trailer (white) used in the performance of duties is no longer required for use by the Public Works Department; and

WHEREAS, the City Council has determined that the said recycling trailer is surplus property and the City has no further use for said recycling trailer due to its age and condition and it is not economical for the City to retool or refit the said recycling trailer in order that it be placed in service in the Public Works Department;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama that the following recycling trailer be declared surplus property and be disposed

of by the Public Works Director of the city in a manner that will require no further expenditure by the City nor expose the City to any liability in the further use of said recycling trailer and the Council does hereby authorize the Public Works Director to dispose of said recycling trailer in such manner. The Council finds that the following equipment is surplus property:

24 foot white recycling trailer

BE IT FURTHER RESOLVED that the Public Works Director is authorized to take the steps necessary to dispose in a manner consistent with the terms and conditions and pursuant to this Resolution.

Council Member Noles seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Pro-Tem Holland announced that the Resolution had been approved.

Mayor Pro-Tem Holland announced that the next item of business was consideration of a resolution approving White, Lynn, Collins & Associates to perform engineering work associated with the 2008 sidewalk project partially funded by a transportation enhancement grant from the Alabama Department of Transportation.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2376 - 09

WHEREAS, the City of Muscle Shoals has received funding from the Alabama Department of Transportation for the construction of additional sidewalks in the City; an

WHEREAS, a requirement of the program is the development of plans for construction of the sidewalks in accordance with federal transportation standards; and

WHEREAS, the City has determined that the firm of White, Lynn, Collins & Associates, Inc. is qualified to perform the necessary work and the Alabama Department of Transportation has concurred in the determination; now

THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama that White, Lynn, Collins & Associates, Inc. be appointed as Engineer for the design, construction and inspection of the 2008 sidewalk project; and

BE IT FURTHER RESOLVED by the Council that the Mayor of the City, for and on behalf of the City of Muscle Shoals, is hereby authorized to enter into and execute all necessary and required documents, agreements and authorizations to effectuate the terms, conditions and purposes of this Resolution.

Council Member Grissom seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Pro-Tem Holland announced that the Resolution had been approved.

Mayor Pro-Tem Holland announced that the next item of business was consideration of a resolution to appoint a member to the Zoning Board of Adjustment.

Mayor Pro-Tem Holland 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: Hal Horton

Council Member Willis: Hal Horton

Council Member Grissom: Hal Horton

Council Member Holland: Hal Horton

Council Member Noles: Hal Horton

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

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2377 - 09

WHEREAS, the term of a member of the Zoning Board of Adjustment of the City of Muscle Shoals 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, and is eligible for appointment to fill the pending vacancy:

Hal R. Horton

WHEREAS, Hal R. Horton was determined to be the lone applicant and otherwise qualified for appointment, and

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

Council Member Pampinto: Hal R. Horton

Council Member Willis: Hal R. Horton

Council Member Grissom: Hal R. Horton

Council Member Holland: Hal R. Horton

Council Member Noles: Hal R. Horton

WHEREAS, Mayor Pro-Tem Holland announced that Hal R. Horton 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>
Hal R. Horton	Zoning Board of Adjustment	December 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 Grissom seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Pro-Tem Holland announced that the Resolution had been 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

MAYOR

COUNCIL MEMBER - PLACE ONE

COUNCIL MEMBER - PLACE TWO

COUNCIL MEMBER - PLACE THREE

COUNCIL MEMBER - PLACE FOUR

COUNCIL MEMBER - PLACE FIVE

ATTEST:

CITY CLERK

