

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
October 1, 2007**

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The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:30 p.m. on the 1<sup>st</sup> day of October 2007 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 of the City, 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.

Upon motion duly made by Council Member Holland, seconded by Council Member Willis and unanimously adopted, the Council waived the reading of the minutes of the previously held work session and regular meeting of September 17, 2007 and approved the minutes as written.

Mayor Bradford announced the next item of business was the presentation of proclamation declaring October 7<sup>th</sup> - 13<sup>th</sup> as "Mental Illness Awareness Week" in the City.

Mayor Bradford announced the next item of business was consideration of a resolution to award a bid for coarse aggregates for fiscal year 2007 -2008.

Council Member Willis introduced the following resolution in writing in the meeting:  
STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NO. 2285-07**

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

[1] That advertisements for bids for the purchase of coarse aggregates for the fiscal year beginning October 1, 2007 were distributed, the bid opening set for the 10<sup>th</sup> day of September, 2007, at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

Item:	Rogers Group	Vulcan Materials
	Bid Price Per Ton:	Bid Price Per Ton:
No. 57	\$7.50	\$7.53
Crusher Run	\$7.25	\$7.20
Rip Rap	\$8.50	\$8.68

[3] After verifying the bids with the specifications and terms of the bid, it has been determined that the lowest, responsive, responsible bidder submitting a bid for coarse aggregates is Rogers Group. The terms of the bid allow for award on a line item basis, or an all-or-none basis. It has been determined that the all-or-none basis is in the best interest of the city.

Council Member Willis moved that the resolution be approved as presented. Council Member Noles 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 the next item of business was consideration of a resolution to award bids for asphalt purchases for fiscal year 2007 - 2008.

Council Member Noles introduced the following resolution in writing in the meeting:

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NO. 2286-07**

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

[1] That advertisements for bids for the purchase of asphalt and binder for the fiscal year beginning October 1, 2007 were distributed, the bid opening set for the 25<sup>th</sup> day of September, 2007, at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

NAME OF BIDDER	429A- 3/8" Asphalt	429A - 1/2" Asphalt	429A- 3/4" Asphalt		429B - 1" Binder
APAC	\$41.33	\$39.13	\$32.78		\$32.56
ROGERS GROUP	\$48.69	\$41.11	\$40.30		\$32.21

[3] After verifying the bids with the specifications it has been determined that the lowest, responsive, responsible bidder submitting a bid for asphalt is APAC - Southeast Inc., and the lowest, responsive, responsible bidder submitting a bid for binder is Rogers Group. The Council hereby elects to award the bid to multiple vendors. APAC-Southeast, Inc. shall be awarded the bid as the primary supplier for asphalt and Rogers Group shall be secondary. Rogers Group, Inc. shall be awarded the bid as the primary supplier for binder, and APAC shall be secondary. In the event that the primary vendor cannot provide product at time of notification, product may be purchased from the secondary supplier.

Council Member Noles moved that the resolution be approved as presented. 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 the next item of business was consideration of a resolution to award a bid for corrugated metal pipe for fiscal year 2007 -2008.

Council Member Grissom introduced the following resolution in writing in the meeting:

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NO. 2287-07**

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

[1] That advertisements for bids for the purchase of aluminized metal corrugated pipe for the fiscal year beginning October 1, 2007 were distributed, the bid opening set for the 26th day of September, 2007, at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, the following bids were opened and tabulated as follows with the basis of award being the percentage discount off the established price list submitted by the city to bidders:

ALUMINIZED METAL CORRUGATED PIPE: BIDDER:	Percent Discount off Price List:
Harvey Culvert	51%

[3] After verifying the bids with the specifications it has been determined that the best, responsive, responsible bidder submitting a bid for aluminized metal corrugated pipe is Harvey Culvert.

The bid is hereby awarded to Harvey Culvert for the 51% discount off the published price list for aluminized metal corrugated pipe.

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Council Member Grissom moved that the resolution be approved as presented. 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 the next item of business was consideration of a resolution to award a bid for corrugated metal pipe - smooth interior for fiscal year 2007 - 2008.

Council Member Pampinto introduced the following resolution in writing in the meeting:

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NO. 2288-07**

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

[1] That advertisements for bids for the purchase of aluminized metal corrugated pipe with a smooth interior for the fiscal year beginning October 1, 2007 were distributed, the bid opening set for the 26th day of September, 2007, at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, the following bids were opened and tabulated as follows with the basis of award being the percentage discount off the established price list submitted by the city to bidders:

ALUMINIZED METAL CORRUGATED PIPE: BIDDER:	Percent Discount off Price List:
Harvey Culvert Company	50%

[3] After verifying the bids with the specifications it has been determined that the best, responsive, responsible bidder submitting a bid for aluminized metal corrugated pipe with a smooth interior is Harvey Culvert Company.

The bid is hereby awarded to Harvey Culvert Company for the 50% discount off the published price list for aluminized metal corrugated pipe with a smooth interior.

Council Member Pampinto moved that the resolution be approved as presented. Council Member Holland 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 the next item of business was consideration of a resolution to award a bid for polyethylene pipe purchases for fiscal year 2007 - 2008.

Council Member Holland introduced the following resolution in writing in the meeting:

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NO. 2289-07**

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

[1] That advertisements for bids for the purchase of smooth interior corrugated polyethylene pipe for the fiscal year beginning October 1, 2007 were distributed, the bid opening set for the 26<sup>th</sup> day of September, 2007, at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

SIZE OF PIPE	EAGLE WHOLESALE	HARVEY CULVERT CO., INC.
	\$ Price Per Foot	\$ Price Per Foot
12 inch	4.63	4.60
15 inch	5.97	5.94
18 inch	8.37	8.30
24 inch	13.16	13.10
30 inch	20.54	20.45
36 inch	24.95	24.85
42 inch	35.31	35.15
48 inch	42.54	42.40
60 inch	74.66	72.30

[3] The lowest responsible and responsive bidder, after verifying the bids with the specifications, has been determined as being Harvey Culvert Company.

The apparent low and best bidder Harvey Culvert Company, is now awarded the bid for the item listed above.

Council Member Holland moved that the resolution be approved as presented. Council Member Willis 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 the next item of business was consideration of a resolution to awards a bid for concrete pipe for purchases for fiscal year 2007 - 2008.

Council Member Willis introduced the following resolution in writing in the meeting:

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NO. 2290-07**

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

[1] That advertisements for bids for the purchase of concrete pipe for the fiscal year beginning October 1, 2007 were distributed, the bid opening set for the 26th day of September, 2007, at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, the following bids were opened and tabulated as follows with the basis of award being the percentage discount off the established price list submitted by the city to bidders:

BIDDER:	Percent Discount off Established Price List:
Set-A-Steps	9% Increase to Price List
Harvey Culvert Company	0% Discount

[3] After verifying the bids with the specifications it has been determined that the no bidder offered a discount from the established price list, and that it is not in the best interest to award said bid to any bidder, and

Further, BE IT RESOLVED that all bids are hereby rejected and purchases will be pursued on an as needed basis in compliance with Alabama Competitive Bid Laws.

Council Member Willis moved that the resolution be approved as presented. Council Member Noles 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 and the bids rejected..

Mayor Bradford announced the next item of business was consideration of a resolution to award a bid for sidewalk construction under the Alabama Department of Transportation's 2006 Traffic Enhancement Program.

Council Member Noles introduced the following resolution in writing in the meeting:

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NO. 2291-07**

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

[1] That the City Engineer did send out advertisements for bids for the construction of the 2006 Sidewalk Improvements Project, the bid opening being set for the 21st day of September, 2007, at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

<u>BIDDER:</u>	<u>TOTAL BID AMOUNT:</u>
Joe Keenum Construction, Inc.	\$358,019.00

[3] After verifying the bid with the specifications, has been determined that the bid of Joe Keenum Construction in the amount of \$358,019.00 exceeds the original budgeted amount for the project;

[4] BE IT FURTHER RESOLVED, that all bids are hereby rejected, and authorization granted for re-advertisement of bids for the 2006 Sidewalk Improvement Project.

Council Member Noles moved that the resolution be approved as presented. 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 and the bids are rejected.

Mayor Bradford announced the next item of business was consideration of a resolution to award a bid for landscaping and irrigation installation at the entrance to the Shoals Research Airpark.

Council Member Grissom introduced the following resolution in writing in the meeting:  
STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NO. 2292-07**

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

[1] That Schoel Godwin Barnett, representing the City, did send out advertisements for bids for an irrigation and planting project at the Shoals Research Airpark, the bid opening being set for the 24th day of September, 2007, at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

<u>BIDDER:</u>	<u>BID AMOUNT:</u>	<u>BASE ALTERNATE BID:</u>
Calenco Construction	\$82,411.00	Deduct \$5,288.00
Top Choice	\$49,450.00	-----

[3] The lowest, responsible, responsive bidder, after verifying the bid with the specifications, has been determined as Top Choice with a total base bid price of \$49,450.00.

The apparent lowest, responsive and responsible bidder, Top Choice, is now awarded the bid at the bid price of \$49,450.00.

Council Member Grissom moved that the resolution be approved as presented. 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 the next item of business was the scheduling of a public hearing to consider the issuance of Restaurant Retail Liquor License to Brett Armstrong dba Something Fishy located at 301 Ford Road.

Mayor Bradford announced that at a meeting to be held at the City Hall in said City at 6:30 p.m. on the 5<sup>th</sup> day of November 2007, the Council will consider the approval of the license. At said time and place, all persons who desire to do so shall have an opportunity of being heard in opposition to or in favor of the approval of such license.

Mayor Bradford 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 Jazzy's Package Store Corp. dba Jazzy's Package Store located at 1688 Wilson Dam Road.

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



There being no further business to come before the meeting, upon the motion duly made and approved the meeting was adjourned.

CITY OF MUSCLE SHOALS, ALABAMA  
a Municipal Corporation

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MAYOR

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COUNCIL MEMBER - PLACE ONE

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COUNCIL MEMBER - PLACE TWO

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COUNCIL MEMBER - PLACE THREE

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COUNCIL MEMBER - PLACE FOUR

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COUNCIL MEMBER - PLACE FIVE

ATTEST:

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CITY CLERK