

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
December 20, 2004**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:30 p.m. on the 20th day of December 2004 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 Bill Howard. 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 Noles and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting of December 6, 2004 and approved the minutes as written.

Mayor Bradford announced that the next item of business was consideration of a resolution awarding a bid for the purchase of gasoline.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2092-04

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

[1] That the Purchasing Agent did send out advertisements for bids for the purchase of gasoline, the bid opening being held December 20, 2004 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:

BIDDER:

O'Steen Oil Company
Tatum Oil Company

GASOLINE:

Per Gallon:
\$1.168
\$1.174

[3] The lowest, responsive, responsible, bidder after evaluation and verifying the bid with the specifications, has been determined as O'Steen Oil Company with a bid price of \$1.168 for the purchase of gasoline.

The apparent low and best bidder, O'Steen Oil Company is now awarded the bid for gasoline.

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 that the next item of business was the scheduling of a public hearing to consider the issuance of a Retail Table Wine License to Chen Hui Zheng dba Harvest Buffet located at 604 Michigan Avenue.

Mayor Bradford announced that at a meeting to be held at the City Hall in said City at 6:30 p.m. on the 18th day of January, 2005 the Council will consider the approval of the issuance of the Retail Table Wine License to Chen Hui Zheng, all persons who desire to do so shall have an opportunity of being heard in opposition to or in favor of the issuance of such license.

Mayor Bradford announced that the next item of business was consideration of an ordinance amending the tobacco tax.

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

STATE OF ALABAMA
COLBERT COUNTY

ORDINANCE NO. 1341 - 04

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES OF THE CITY OF MUSCLE SHOALS, ALABAMA PERTAINING TO THE LEVY OF TOBACCO LICENSE TAXES IN THE CITY OF MUSCLE SHOALS, ALABAMA, OR WITHIN ITS POLICE JURISDICTION

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

I. Chapter 106, Section 06-20 of the Code of Ordinances of the City of Muscle Shoals, Alabama, heretofore adopted, is hereby amended so that the said Chapter 106, Section 106-20 shall include the following language and read in its entirety as follows:

Section 106-20 Levy of tax in city.

In addition to all taxes now imposed by law, every person who is engaged in the business of selling, storing or delivering tobacco products within the corporate limits of the City shall pay a license tax to the City and a license tax is hereby fixed and levied for engaging in such business within the corporate limits of the City, which license tax shall be in the following amounts (which amounts shall be in addition to all amounts of any license taxes levied with respect to such business in any general license code or ordinance of the City):

(a) An amount equal to:

- (i) Six cents (0.06) for each container of cigarettes containing 20 cigarettes Or less;
- (ii) Six cents (0.06) for each container of smoking tobacco;
- (iii) Six cents (0.06) for each cigar, regardless of the number of cigars in any container thereof;
- (iv) Six cents (0.06) for each container of chewing tobacco;
- (v) Six cents (0.06) for each container of snuff or smokeless tobacco;
- (vi) Six cents (0.06) for each container of any other tobacco product; and
- (vii) Six cents (0.06) for each package or other container of little cigars made of tobacco or any substitute thereof.

II. This Ordinance, and its provisions, shall become effective upon publication or posting pursuant to law or as otherwise provided for by law.

Council Member Grissom moved that unanimous consent be given for immediate consideration of and adoption of said Ordinance, 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 Ordinance be finally adopted, 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 Ordinance 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

MAYOR

COUNCIL MEMBER - PLACE ONE

COUNCIL MEMBER - PLACE TWO

COUNCIL MEMBER - PLACE THREE

COUNCIL MEMBER - PLACE FOUR

COUNCIL MEMBER - PLACE FIVE

ATTEST:

CITY CLERK