

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
April 3, 2017**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:16 p.m. on the 3rd day of April, 2017 being the scheduled time and approved place for said meeting. The meeting was called to order by Allen Noles, 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: CHRIS HALL, NEAL WILLIS, MIKE LOCKHART
KEN SOCKWELL, ALLEN NOLES
ABSENT: NONE

Allen Noles, 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. Mayor David Bradford was also present. Richard Williams, City Clerk, was present and kept the minutes of the meeting.

Upon motion duly made by Council Member Sockwell and seconded by Council Member Hall and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of March 20, 2017 and approved the minutes as written.

Mayor Bradford read aloud a proclamation declaring April 4, 2017 as “National Service Recognition Day”. Mayor Bradford read aloud a proclamation declaring April as “Donate Life Month”. Mayor Bradford read aloud a proclamation declaring April 23-29, 2017 as “Parental Alienation Prevention Week” and April 29th as “Parental Alienation Awareness Day” in the city.

President Noles announced that the next item of business was approval of an amended job description for the position of Gas & Diesel Mechanic.

Assistant City Clerk Elaine Coan presented the revised job description and requested its approval.

Council Member Hall moved that the job description be approved. Council Member Willis seconded the motion and upon said motion being put to a vote all voted “AYE” and “NAYS” were none.

President Noles announced that the job description had been approved.

President Noles announced that the next item of business was a public hearing to to consider the adoption of an ordinance to amend the Zoning Ordinance and Zoning Map of the City of Muscle Shoals, Alabama, the proposed ordinance being as follows:

ORDINANCE NO. 1499 - 17
AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND
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 which are currently zoned R-3 and is hereby incorporated in and made a part of the RMF-1 District, to wit:

Begin at a point being the northwest corner of lot 88 in Riverside Park Subdivision south of River Road, thence run 726 feet east along the southern right-of -way of River Road to the northwest corner of lot 120, thence run south for 700 feet to the south to the southwest corner of lot 313, thence run 1126 feet to the west to the southwest corner of lot 282, thence run 576 feet north to the southwest corner of lot 152, thence run 400 feet east to the southwest corner of lot 88, thence run north 126 feet along lot 88 and back to the point of beginning.

The Council finds that legal notice of the 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 3rd day of April, 2017, at 6:00 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 President Noles announced that now was the proper time for persons in favor and those in opposition to the ordinance to be recognized.

Mr. Trey Alexander of Civil Group LLC spoke on behalf of the developer in favor of the rezoning. Mr. Ronnie Campbell spoke against the rezoning due to the adverse impact the rezoning will have on his adjoining property.

There being no one else wishing to speak, President Noles stated that approval of the ordinance 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 Hall, Council Member Willis, Council Member Lockhart,
Council Member Sockwell, Council Member Noles

NAYS: None

President Noles announced that the ordinance had been approved.

President Noles announced that the next item of business was consideration of a resolution to appoint a member to the Muscle Shoals Board of Education.

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

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2881 - 17

WHEREAS, a vacancy on the Muscle Shoals Board of Education has occurred and the City Council being desirous of making the necessary appointment to said board;

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

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

Terry Copley
Doris Metcalf
Jeb Miles

Margaret Farley
Allison Mefford

Gregory Hill
Jeremiah Stoddard

WHEREAS, Jeremiah Stoddard was determined to have received the best overall ranking on the City Council evaluations, and

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

Council Member Hall: Jeremiah Stoddard
Council Member Willis: Jeremiah Stoddard
Council Member Lockhart: Jeremiah Stoddard
Council Member Sockwell: Jeremiah Stoddard
Council Member Noles: Jeremiah Stoddard

WHEREAS, Council President Noles announced that Jeremiah Stoddard 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>
Jeremiah Stoddard	Board of Education	June, 2022

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 Willis seconded the motion and upon said motion being put to a vote all voted “AYE” and “NAYS” were none.

President Noles announced that the resolution had been approved.

President Noles announced that the next item of business was consideration of a resolution to oppose passage of SB31 (HB58) in the Alabama legislature which would exempt prescription drug sales from the calculation of municipal business licenses.

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

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2882 - 17
A RESOLUTION OPPOSING SB31 AND HB 58

WHEREAS, SB31 (HB58) exempts prescription drug sales from the calculation of gross receipts business licenses; and

WHEREAS, businesses that provide goods or services within the municipal corporate limits take advantage of the financial and other benefits they receive from the municipality including, but not limited to, the use of city streets and roads, the potential use of police and fire protection, and the potential use of ambulances or rescue services; and

WHEREAS, revenue collected from business licensing provides a financial means for defraying the costs of providing essential municipal services; and

WHEREAS, monies collected from business licensing are used not just for revenue purposes, but to protect citizens by helping provide services; and

WHEREAS, loss of revenue from the gross receipts licensing of prescription medication would cost the City of Muscle Shoals, Alabama a significant loss in general fund revenue; and

WHEREAS, legislatively carving out this type of business from the coverage of municipal business licensing creates fundamental unfairness to other businesses and is a slippery slope as other businesses and industries start to request similar legislative limitations on municipal licensing authority which could potentially cost the municipality a significant loss in revenue thereby resulting in a potential for devastating effects on the quality of life for our citizens, now

THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama does express it strong opposition to SB31 (HB58) or any similar legislation that would further restrict the municipality’s authority to properly license business that is transacted within the municipality, and

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

President Noles announced that the resolution had been approved.

There being no further business to come before the meeting, upon the motion duly made and seconded 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