

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
July 16, 2007**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:30 p.m. on the 16th day of July 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
 ALLEN NOLES, DAVID H. BRADFORD
ABSENT: JAMES HOLLAND

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.

At this time, Susann Hamlin, Executive Director of the Colbert County Tourism and Convention Bureau presented an award to the City from the Southeast Tourism Society recognizing Muscle Shoals Music CityFest as a Top 20 event for the month of October 2007.

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 work session and regular meeting of July 2, 2007 and approved the minutes as written.

The next item of business was comments of the public. David Yarber, 410 LaSalle Avenue was recognized and addressed the Council.

Rusty Wheelles, Parks and Recreation Director was recognized and addressed the Council

Mayor Bradford announced that the next item of business was consideration of a resolution to award a bid for fuel products.

Council Member Willis introduced the following resolution which was presented in writing:

RESOLUTION NUMBER 2270-07

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 fuel products, the bid opening being held July 13, 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>Markup Profit</u>
Baggett oil Company	\$.05799
Tatum Oil Company	.06

[3] The lowest, responsive, responsible, bidder after evaluation and verifying the bid with the specifications, has been determined as Baggett Oil Company with a bid price of \$.05799 per gallon profit markup above rack price. The apparent low and best bidder, Baggett Oil Company is now awarded the bid for the purchase of fuel products, with said bid being awarded for a fourteen month period. Award shall begin on August 6, 2007, and end on September 30, 2008.

Council Member Willis moved for adoption of the resolution. 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 that the next item of business was consideration of a resolution to award a bid the purchase of a street sweeper.

Council Member Noles introduced the following resolution which was presented in writing:

RESOLUTION NUMBER 2271-07

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

[1] That the Procurement Agent did send out advertisements for bids for the purchase of a regenerative air sweeper, the bid opening being held July 12, 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:

BIDDER:	NEW UNIT:	DEMO UNIT:
Ingram Equipment Company	\$97,750.00	\$88,825.00
Sansom Equipment Company	99,910.00	No Bid
Schwarze Industries, Inc.	82,019.00	No Bid

[3] The low bid of Schwarze Industries, Inc. for a new unit has been determined as a non-responsive bid. Exceptions to the minimum specifications of the bid included in the bid of Schwarze Industries, Inc. are as follows:

- Exception to the requirement of hi pressure wash down system
- Exception to the requirement of access to blower housing without raising hopper
- Exception to the requirement of minimum 150 gallon water tank

[4] The lowest, responsive, responsible bidder after evaluation and verifying the bid with the specifications, has been determined as Ingram Equipment Company with a total bid price of \$88,825.00 for the purchase of a demonstrator unit regenerative air sweeper.

The apparent low and best bidder, Ingram Equipment Company is now awarded the bid for the purchase of a regenerative air sweeper.

Council Member Noles moved for adoption of the resolution. 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 that the next item of business was a public hearing to consider the issuance of a Lounge Retail Liquor License - Class II (Package) to Tony M. Howell dba Shoals Package Store located at 3695 E. Second Street.

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 Noles, Mayor Bradford

NAYS: None

Mayor Bradford announced that the license had been approved.

Mayor Bradford announced that the next item of business was consideration of a resolution to authorize the Mayor to execute an agreement with the State of Alabama and the Northwest Alabama Council of Local Government to administer the 3-C Transportation Planning process.

Council Member Grissom introduced the following resolution which was presented in writing:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2272 - 07

WHEREAS, 23 U.S.C Section 134 and 49 U.S.C Sections 1604(e) and 1607(a) and (c) require that each urbanized area have a comprehensive, cooperative, continuing transportation planning process (commonly referred to as the “3-C” Process); and

WHEREAS, 23 U.S.C. Section 104 (f) and 49 U.S.C Section 1607 authorize certain funds (commonly referred to as FHWA Planning funds and FTA Planning funds respectively) to be made available to designated transportation planning agencies for supporting the “3-C” Process; and

WHEREAS, the Northwest Alabama Council of Local Governments has been selected as the designated transportation planning agency for the Shoals Urbanized Area; and

WHEREAS, the State of Alabama receives funds from the Federal Highway Administration and the Federal Transit Administration which includes FHWA Planning funds and FTA Planning funds; and

WHEREAS, the State of Alabama has funds available for the designated agency for the “3-C” Planning Process in the Shoals Urbanized Area.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama that the Mayor be authorized to execute an agreement with the State of Alabama and the Northwest Alabama Council of Local Governments to administer the “3-C” Transportation Planning Process for the Shoals urbanized area.

Council Member Grissom moved for adoption of the resolution. 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 that the next item of business was consideration of a resolution committing local matching funds should a Land and Water Conservation grant application be approved.

Council Member Pampinto introduced the following resolution which was presented in writing:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2273- 07

WHEREAS, the City of Muscle Shoals proposes to convert a portion of its tennis court at Gattman Park to a splashpad; and

WHEREAS, the City of Muscle Shoals intends to make application to the Alabama Department of Economic and Community Affairs for grant assistance from the Land and Water Conservation Fund; and

WHEREAS, the Land and Water Conservation Fund is limited to funding a maximum of fifty percent (50%) of the proposed eligible cost;

NOW THEREFORE BE IT RESOLVED, that the City of Muscle Shoals hold in reserve \$200,000.00 of the proposed project cost for the purpose of matching the Land and Water Conservation Fund assistance; and

BE IT FURTHER RESOLVED, that in the event a grant is awarded, the City of Muscle Shoals understands that it will sign assurances to comply with all applicable Federal and State laws, rules and regulations.

Council Member Pampinto moved for adoption of the resolution. 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 consideration of an ordinance amending Section 18-81 of the City Code of Ordinances relating to building permit fees.

Council Member Willis introduced the following ordinance which was presented and read in the meeting:

ORDINANCE NO. 1392 - 07

AN ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF MUSCLE SHOALS, ALABAMA PERTAINING TO BUILDINGS AND BUILDING REGULATIONS 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 18, Article IV Section 18-81 of the Code of Ordinances of the City of Muscle Shoals, Alabama pertaining to *Buildings and Building Regulations* heretofore adopted, and as amended by Ordinances of the City Council of the City of Muscle Shoals, Alabama, is hereby amended so as to include the provision for a building permit fee as hereinafter set out.

A. Schedule of Permit Fees. On new buildings, structures or alterations, additions or modifications to existing buildings or structures, a building permit fee shall be paid as required and the valuation of the structure shall be determined in accordance with the schedule hereinafter established and set forth:

	SQUARE FOOT CONSTRUCTION COSTS									
	Type of Construction									
	1A	1B	11A	11B	111A	111B	1V	VA	VB	
A-1 Assembly, theaters with stage	\$ 101.69	\$ 98.41	\$ 96.12	\$ 92.17	\$ 85.71	\$ 85.25	\$ 89.26	\$ 79.41	\$ 76.55	
Assembly, theaters, without stage	\$ 93.79	\$ 90.52	\$ 88.23	\$ 84.27	\$ 77.81	\$ 77.36	\$ 81.36	\$ 71.51	\$ 68.65	
A-2 Assembly, nightclubs	\$ 77.00	\$ 74.62	\$ 72.73	\$ 69.90	\$ 64.90	\$ 64.73	\$ 67.47	\$ 59.66	\$ 57.65	
A-2 Assembly, restaurants, bars banquet halls	\$ 76.42	\$ 74.04	\$ 71.57	\$ 69.32	\$ 63.74	\$ 64.15	\$ 66.89	\$ 58.50	\$ 57.07	
A-3 Assembly churches	\$ 94.21	\$ 90.92	\$ 88.65	\$ 84.69	\$ 78.21	\$ 77.77	\$ 81.78	\$ 71.92	\$ 69.06	
A-3 Assembly, general, community halls, libraries, museums	\$ 78.00	\$ 74.73	\$ 71.86	\$ 68.48	\$ 61.42	\$ 61.55	\$ 65.57	\$ 55.12	\$ 52.84	
A-4 Assembly, arenas	\$ 76.42	\$ 74.04	\$ 71.57	\$ 69.32	\$ 63.74	\$ 64.15	\$ 66.89	\$ 58.50	\$ 57.07	
B Business	\$ 77.68	\$ 74.87	\$ 72.48	\$ 69.09	\$ 61.85	\$ 61.48	\$ 66.45	\$ 55.23	\$ 53.12	
E Educational	\$ 81.46	\$ 78.71	\$ 76.46	\$ 73.07	\$ 67.40	\$ 65.81	\$ 70.66	\$ 60.22	\$ 57.97	
F-1 Factory and industrial moderate hazard	\$ 47.14	\$ 44.97	\$ 42.31	\$ 41.01	\$ 35.46	\$ 36.04	\$ 39.33	\$ 30.24	\$ 28.69	
F-2 Factory and industrial low hazard	\$ 46.56	\$ 44.39	\$ 42.31	\$ 40.43	\$ 35.46	\$ 35.46	\$ 38.75	\$ 30.24	\$ 28.11	
H-1 High hazard, explosives	\$ 44.24	\$ 42.08	\$ 40.00	\$ 38.11	\$ 33.23	\$ 33.23	\$ 36.44	\$ 28.01	N.P.	
H-234 High hazard	\$ 44.24	\$ 42.08	\$ 40.00	\$ 38.11	\$ 33.23	\$ 33.23	\$ 36.44	\$ 28.07	\$ 25.89	
H-5 HPM	\$ 77.68	\$ 74.87	\$ 72.48	\$ 69.09	\$ 61.85	\$ 61.48	\$ 66.45	\$ 55.23	\$ 53.12	
I-1 Institutional, supervised environment	\$ 76.61	\$ 73.97	\$ 71.98	\$ 69.06	\$ 63.36	\$ 63.32	\$ 66.97	\$ 58.23	\$ 55.92	
I-2 Institutional, incapacitated	\$ 129.29	\$ 126.47	\$ 124.09	\$ 120.70	\$ 113.21	N.P.	\$ 118.06	\$ 39.71	N.P.	
I-3 Institutional, restrained	\$ 88.24	\$ 85.43	\$ 83.04	\$ 79.66	\$ 73.13	\$ 72.18	\$ 77.01	\$ 59.06	\$ 63.24	
I-4 Institutional, day care facilities	\$ 76.61	\$ 73.97	\$ 71.98	\$ 69.06	\$ 63.36	\$ 63.32	\$ 81.36	\$ 46.21	\$ 55.92	
M Mercantile	\$ 57.33	\$ 54.95	\$ 52.48	\$ 50.23	\$ 102.95	\$ 103.36	\$ 81.36	\$ 52.18	\$ 38.29	
R-1 Residential, Hotels	\$ 77.41	\$ 74.77	\$ 72.78	\$ 69.86	\$ 64.19	\$ 64.15	\$ 81.36	\$ 58.97	\$ 56.75	
R-2 Residential, multiple family	\$ 64.47	\$ 60.53	\$ 59.84	\$ 56.92	\$ 51.34	\$ 51.31	\$ 81.36	\$ 46.21	\$ 43.91	
R-3 Residential, one- and two- family	\$ 62.23	\$ 60.53	\$ 59.04	\$ 57.41	\$ 54.78	\$ 54.65	\$ 56.44	\$ 52.18	\$ 49.13	
R-4 Residential, care/assisted living facilities	\$ 76.61	\$ 73.97	\$ 71.98	\$ 69.06	\$ 63.36	\$ 63.32	\$ 56.44	\$ 58.23	\$ 55.92	
S-1 Storage, moderate hazard	\$ 43.66	\$ 41.50	\$ 38.84	\$ 95.53	\$ 32.07	\$ 32.65	\$ 56.44	\$ 26.85	\$ 25.31	
S-2 Storage, low hazard	\$ 43.08	\$ 40.92	\$ 38.84	\$ 36.95	\$ 32.07	\$ 32.07	\$ 56.44	\$ 26.85	\$ 24.73	
U Utility, miscellaneous	\$ 33.29	\$ 31.48	\$ 29.61	\$ 28.13	\$ 24.40	\$ 24.40	\$ 26.55	\$ 20.06	\$ 19.10	
a. Private Garages use Utility, miscellaneous										
b. Unfinished basements										
(all use group) =\$15.00 per sq. ft.										
c. N.P. not permitted										

B. Notwithstanding the foregoing, the required building permit fee shall be determined by the amount of the costs of the buildings, structures or alterations, additions or modifications to existing buildings or structures as contained in a contract with a licensed contractor in accordance with the fee structure established in Appendix B hereto.

Appendix B

Total Valuation

Permit Fees

\$1,000 and less

No fee, unless inspection required, in which case a \$15.00 fee for each inspection shall be charged.

\$1,000 to \$50,000

\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00.

\$50,000 to \$100,000	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,000 to \$500,000	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00.
\$500,000 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.

in addition to the permit fee, added contractor's license fee equal to 1/5 of 1% of the entire commercial construction cost or 1/20 of 1% of the entire residential construction cost.

Moving Fee

For the moving of any building or structure, the fee shall be \$100.

Demolition Fee

For the demolition of any building or structures, the fee shall be \$50.00.

Current Calculations of Permit Structure

1. Cost of Plumbing Permit for Residential:

\$2.50 per fixture

\$10.00 for sewer

\$1.50 issuance fee

Cost of Plumbing Permit for Commercial:

1% of the first \$10,000.00 of the contract amount and ¼ of 1% of any amount over the \$10,000.00.

\$1.50 issuance fee.

Cost of Mechanical Permit for Residential:

\$20.00

\$1.50 issuance fee

Cost of Mechanical Permit for Commercial:

1% of the first \$10,000.00 of the contract amount and ¼ of 1% of any amount over the \$10,000.00.

\$1.50 issuance fee.

Cost of Gas Permit for Residential:

\$20.00

\$1.50 issuance fee

Cost of Gas Permit for Commercial:

1% of the first \$10,000.00 of the contract amount and ¼ of 1% of any amount over the \$10,000.00.
\$1.50 issuance fee.

Cost of Electrical Permit for Residential:

\$.015 per heated square foot of structure.

\$1.50 issuance fee

Change out of Electrical Service

\$20.00

\$1.50 issuance fee

Cost of Electrical Permit for Commercial:

1% of the first \$10,000.00 of the contract amount and ¼ of 1% of any amount over the \$10,000.00.
\$1.50 issuance fee.

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

Council Member Willis moved for unanimous consent for immediate consideration of the ordinance. Council Member Noles seconded the motion and 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 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 Willis 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 be passed and adopted as presented.

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