

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
July 19, 2004**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 7:00 p.m. on the 19th day of July 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 Robert Evans. On roll call the following members were found to be present or absent, as indicated:

PRESENT: NEAL WILLIS, DAVID YARBER, JAMES HOLLAND,
ALLEN NOLES, DAVID H. BRADFORD
ABSENT: STEVE BRADFORD

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 July 6, 2004 and approved the minutes as written.

Mayor Bradford announced that the next item of business was comments from the public. Mr. Walter Remkus, 682 Brandon Drive sought recognition and addressed the Council during the period of public comments.

Stan Sockwell, 700 Broadway Avenue sought recognition and addressed the Council during the period of public comments.

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

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2047-04

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 July 19, 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:

<u>BIDDER:</u>	<u>GASOLINE:</u>
	Per Gallon:
Tatum Oil Company	\$1.387
O'Steen Oil Company	\$1.391

[3] The lowest, responsive, responsible, bidder after evaluation and verifying the bid with the specifications, has been determined as Tatum Oil Company with a bid price of \$1.387 per gallon for gasoline.

The apparent low and best bidder, Tatum 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". Voting "NAY" were none.

Mayor Bradford announced that the resolution had been approved.

Mayor Bradford announced that the next item of business was the vacation of a portion of Florence Avenue more particularly described below.

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

**STATE OF ALABAMA
COLBERT COUNTY**

PETITION TO VACATE

WHEREAS, the undersigned, WANDA P. WASSNER, herein referred to as "Petitioner" is the owners of the lands and properties in said subdivision known as **MUSCLE SHOALS SQUARE SUBDIVISION** abutting the streets and alleyways or portions thereof, hereinafter described with particularity; said Petitioner being desirous of vacating said streets and alleyways or portions thereof.

WHEREAS, Petitioner states that the streets and alleyways or portions thereof that Petitioner desires to vacate are located within and as a part of the subdivision designated as **MUSCLE SHOALS SQUARE SUBDIVISION**, all of which are further known and

designated according to the maps and plats thereof recorded in the Office of the Judge of Probate of Colbert County, Alabama in Plat Book 3, Page 24.

WHEREAS, Petitioner states that convenient and reasonable means of ingress and egress to and from other property located within the said subdivision and other property is afforded to all other property owners and further that said desired vacation shall not deprive the undersigned, or other, property owners from convenient and reasonable means of ingress and egress to and from their property;

WHEREAS, Petitioner states that the streets and alleyways or portions thereof desired to be vacated are not currently being used;

WHEREAS, Petitioner seeks and requests assent to the vacation by the governing body of Muscle Shoals, Alabama, same to be evidenced by a resolution duly adopted by the governing body and certified by the Clerk;

NOW, THEREFORE, we, the undersigned Petitioner, being the owner of the property in the subdivision known as **MUSCLE SHOALS SQUARE SUBDIVISION** abutting on the streets and alleyways or portions thereof, located in said subdivision, and further described herein, and desirous of vacating same does hereby declare the following streets and alleyways or portions thereof, to be vacated, to wit:

Any and all portions of **Florence Avenue** as shown on the plat of the said **MUSCLE SHOALS SQUARE SUBDIVISION**, a subdivision known and designated according to the Map or plat thereof recorded in the Office of the Judge of Probate of Colbert County, Alabama in Map Book 3, Page 24 which abut and adjoin Lots 439, 440, 441, 442 and 443 on the North boundary of said Florence Avenue and Lots 362, 363, 364, 365 and 366 on the South boundary of said Florence Avenue.

Said tract is also described as commence at the southeast corner of Lot 439, Muscle Shoals Square Subdivision and the point of beginning of the tract of property described herein; thence run south along the east line of said Lot 439 extended to the north line of Carr Avenue (as shown on the plat of Muscle Shoals Square #2 Subdivision; thence run west along the north boundary line of Carr Avenue a distance of 117.9 feet, more or less, to a point that is on the east boundary of a 25' alleyway (as shown on the plat of Muscle Shoals Square Subdivision); thence run north along the east boundary of said 25' alleyway to a point that is the southwest corner of Lot 443 in Muscle Shoals Square Subdivision; thence run east along the south boundary lines of Lots 443, 442, 441, 440, and 439 to the southeast corner of Lot 439 in Muscle Shoals Square Subdivision and the point of beginning of said tract of property described herein.

Petitioner hereby attaches a copy of a sketch depicting the portion of Florence Avenue sought to be vacated herein, same being marked as Exhibit A and incorporated herein by reference.

Petitioner alleges that the portion of Florence Avenue sought to be vacated is the portion of said Florence Avenue remaining after the subdivision of a portion of Muscle Shoals Square Subdivision and Florence Avenue was vacated and relocated as shown on the plat of Muscle Shoals Square Subdivision #2, the plat of same being recorded in Map Book 5, at Page 30 in the Office of the Judge of Probate of Colbert County, Alabama.

Petitioner alleges that she is the sole owner of the property adjoining and abutting the portion of Florence Avenue sought to be vacated herein..

IN WITNESS, WHEREOF, I have hereunto set my hand and seal this 7th day of July 2004.

S/ Wanda P. Wassner L.S.

WANDA P. WASSNER

STATE OF ALABAMA

COLBERT COUNTY

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that **WANDA P. WASSNER**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 7th day of July 2004.

S/ D. Marcel Black

Notary Public

My Commission Expires: 5-15-06

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2048 -04

WHEREAS, WANDA P. WASSNER, hereinafter referred to as Petitioner states that she is the sole owner of all the lands and properties in said subdivision known as MUSCLE SHOALS SQUARE SUBDIVISION abutting the streets and alleyways, or portions thereof, hereinafter described with particularity; said Petitioner being desirous of vacating said streets and alleyways, or portions thereof, presented his signed Petition of Vacation of various streets and alleyways, or portions thereof, in said subdivision, to the City Council of the City of Muscle Shoals, Alabama for its consideration, assent and approval, said property being more particularly described herein; and

WHEREAS, the Petitioner, as the stated owner of all property abutting the said portions of the streets and alleyways, or portions thereof, to be vacated, having complied with all the requirements of Ordinances of the City of Muscle Shoals, Alabama, relating to the vacation of streets, public alleys, lots and blocks within the City of Muscle Shoals, Alabama, and

WHEREAS, the City Council of the City of Muscle Shoals, Alabama, has determined that convenient means of ingress and egress to and from their property is afforded to all other property owners owing property in the tract of land embraced in the map, plat or survey within which the above described streets and alleyways, or portions thereof, is located, such means of ingress and egress being afforded by the remaining dedicated streets and public alleys in the area.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Muscle Shoals, Alabama, that the assent of the City Council of the City of Muscle Shoals, Alabama, be and the same is hereby given and granted to the vacation of the portion of the streets and property being more fully described as follows:

Any and all portions of **Florence Avenue** as shown on the plat of the said **MUSCLE SHOALS SQUARE SUBDIVISION**, a subdivision known and designated according to the Map or plat thereof recorded in the Office of th Judge

of Probate of Colbert County, Alabama in Map Book 3, Page 24 which abut and adjoin Lots 439, 440, 441, 442 and 443 on the North boundary of said Florence Avenue and Lots 362, 363, 364, 365 and 366 on the South boundary of said Florence Avenue.

Said tract is also described as commence at the southeast corner of Lot 439, Muscle Shoals Square Subdivision and the point of beginning of the tract of property described herein; thence run south along the east line of said Lot 439 extended to the north line of Carr Avenue (as shown on the plat of Muscle Shoals Square #2 Subdivision; thence run west along the north boundary line of Carr Avenue a distance of 117.9 feet, more or less, to a point that is on the east boundary of a 25' alleyway (as shown on the plat of Muscle Shoals Square Subdivision); thence run north along the east boundary of said 25' alleyway to a point that is the southwest corner of Lot 443 in Muscle Shoals Square Subdivision; thence run east along the south boundary lines of Lots 443, 442, 441, 440, and 439 to the southeast corner of Lot 439 in Muscle Shoals Square Subdivision and the point of beginning of said tract of property described herein.

BE IT FURTHER RESOLVED that the Mayor of the City be authorized to execute and deliver a quitclaim deed, same to be attested by the City Clerk, conveying all of the City's right, title and interest in and to the vacated streets and alleyways, or portions thereof, as herein described, unto the Petitioner, Wanda P. Wassner.

Council Member Yarber seconded the motion and upon said motion being put to a vote, all voted "AYE". Voting "NAY" 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 granting the abatement of non-educational sales and use taxes and property taxes to WHP Health Initiatives, Inc.

Council Member Yarber thereupon introduced the following resolution and presented it in writing:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2049-04

WHEREAS, the City Council of Muscle Shoals, Alabama (the Granting Authority) has been requested to grant a tax abatement for WHP Health Initiatives, Inc. (the Company): and

WHEREAS, the Company has announced plans for a new project (the Project), located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**) (the Act), the Company has requested from the Granting Authority an abatement of all state and local noneducational personal property taxes and all construction

related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education; and

WHEREAS, the Company has requested that the abatement of state and local noneducational personal property taxes be extended for a period of ten (10) years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed Combined Application for Abatement of Taxes, copy attached, filed with the Granting Authority by the Company in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's Combined Application for Abatement of Taxes to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the Project will involve an investment of approximately \$3,447,500; and

WHEREAS, \$2,665,500 will be invested in personal property on which the Company has requested an abatement of all state and local noneducational property taxes; and

WHEREAS, \$2,647,500 will be invested in building materials and personal property of which the Company has requested an abatement of all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama and has powers to enter into and to perform and observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of all state and local noneducational personal property taxes and all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, as the same may apply to the fullest extent permitted by the Act. The period of abatement for the noneducational personal property taxes shall extend for a period of ten (10) years measured as provided in Section 40-9B-3(8) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter into a Tax Abatement Agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this Resolution, with the application and Tax Abatement Agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this Resolution.

Council Member Yarber moved that unanimous consent be given for immediate consideration of and adoption of said Resolution, which motion was seconded by Council Member Holland and, upon said motion being put to a vote, a roll call was had and the vote was recorded as follows:

AYES: Council Member Willis, Council Member Yarber, 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 Yarber then moved that the said Ordinance be finally adopted, which motion was seconded by Council Member Holland 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 Willis, Council Member Yarber, Council Member Holland,
Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford thereupon declared said motion carried and the resolution approved.

Mayor Bradford announced that the next item of business was the declaration of certain real properties as surplus and authorizing their sale to the Northwest Alabama Health Care Authority.

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

ORDINANCE NUMBER 1335-04

WHEREAS, the Council of the City of Muscle Shoals, Alabama is the owner of real property hereinafter described; and

WHEREAS, the property was acquired by the City for the purposes of expanding and/or constructing City Hall and the Council being of the opinion that said property is no longer needed for said purposes; and

WHEREAS, the Council has determined that the property is not suitable for, nor needed for, any public or municipal purposes, and

WHEREAS, an offer to purchase the property that is not used and not needed for public or municipal purposes by Northwest Alabama Health Care Authority has been made to the City and the City has entered into negotiations with the Northwest Alabama Health Care Authority for the conveyance of the said property and that the City is desirous of accepting the offer for the purchase of said property and the Council determines that it is in the best interests of the City to do so; and

WHEREAS, the Northwest Alabama Health Care Authority has agreed to purchase said property for the purpose of constructing a building thereon for the delivery of health care services and related services which the Council finds will be a benefit unto the City and its citizens;

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

1. That the City of Muscle Shoals, Alabama convey unto the Northwest Alabama Health Care Authority all of its right, title and interest in and to the following described parcel of real property, same being, lying and situated in the City of Muscle Shoals, Colbert County, Alabama, to wit:

Lots Numbered 3279 through 3285, inclusive, the South 17 feet of all of that portion of State Street abutting Lot 3285, and all of that portion of the West ½ of that certain North-South alley abutting Lots 3280 through 3285, all being known and designated according to the map and survey of “HIGHLAND PARK SUBDIVISION PLAT NO. NINE”, prepared by P. S. Milner, C. E., and recorded in the Office of the Judge of Probate of Colbert County, Alabama, in Map Book 2, Page 70.

2. That the purchase price of said property shall be the sum of Fifteen Thousand and no/100(\$15,000.00) Dollars and the City of Muscle Shoals, Alabama shall, in exchange for said consideration, execute and deliver a deed conveying all its right, title and interest in and to said property unto the Northwest Alabama Health Care Authority.

3. Furthermore, as additional consideration, the City shall have the option to purchase said property at the same price from the Northwest Alabama Health Care Authority in the event that the Northwest Alabama Health Care Authority fails to construct thereon a building and occupy same for the delivery of health care services and related services within two (2) years from the date of the conveyance by the City unto the Northwest Alabama Health Care Authority.

4. That the Mayor of the City of Muscle Shoals, Alabama, Mr. David H. Bradford, is hereby authorized to execute and deliver, same to be attested by Richard L. Williams, Clerk of the City, the deed of the City and all other documents necessary to effectuate the conveyance of the property from the City unto the Northwest Alabama Health Care Authority.

Council Member Holland 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 Willis, Council Member Yarber, 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 Holland 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 Willis, Council Member Yarber, Council Member Holland,
Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford thereupon declared said motion carried and the ordinance passed and adopted as introduced and read.

Mayor Bradford announced that the next item of business was the approval of a twenty five (25) year lease with Wise Alloys LLC for 23 acres to be used as a fire training center.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2050-04

WHEREAS, the City Council of the Muscle Shoals Fire Department (hereinafter Department) has entered into negotiations with Wise Alloys, LLC (hereinafter Wise) for the lease of certain property for the use as a training facility for fire and rescue personnel; and

WHEREAS, the Department and Wise have agreed upon terms and conditions for the lease of said property and the Council has determined that the terms and conditions are as agreed upon by the Department; and

WHEREAS, the City Council has reviewed the contents of an instrument styled Ground Lease Agreement and finds that said instrument is in due form and proper order and upon consideration of same determines that it is wise and expedient that the Department execute and deliver said instrument to Wise; and

BE IT HEREBY RESOLVED that the City Council of the City of Muscle Shoals, Alabama, does hereby authorize and direct the Chief of the Muscle Shoals Fire Department, the said Chief Melvin Paul McDougle, for and on behalf of the Department, a municipal agency, to execute the instrument styled Ground Lease Agreement;

BE IT FURTHER RESOLVED that a certified copy of this Resolution be prepared forthwith by the City Clerk and delivered unto Wise along with the executed instrument styled Ground Lease Agreement herein described and furthermore shall retain a copy to be kept on file by the said City Clerk.

Council Member Willis seconded the motion and upon said motion being put to a vote, all voted "AYE". Voting "NAY" 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 granting the abatement of non-educational sales and use taxes and property taxes to Whitesell Corporation.

Council Member Willis thereupon introduced the following resolution and presented it in writing:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2051-04

WHEREAS, the City of Muscle Shoals, ("the Granting Authority), has been requested to grant a tax abatement for Whitesell Corporation. (the Company).

WHEREAS, the Company has announced plans for a (check one):

(X) new project and (X) major addition to their existing facility (the Project), located

within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**) (the Act), the Company has requested from the Granting Authority an Abatement of (check all that apply):

- (X) all state and local non-educational ad valorem taxes,
- (X) all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or
- (X) all mortgage and recording taxes; and

WHEREAS, the Company has requested that the abatement of state and local non-educational ad valorem taxes (if applicable) be extended for a period of ten (10) years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed applications (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve a capital investment of approximately \$46,000,000.00; and WHEREAS, the Company is duly qualified (or has made application) to do business in the State of Alabama, and has power to enter into, and to perform and observe the agreements and covenants on its part contained in the Tax-Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW THEREFORE, BE IT RESOLVED by the City Council of the Muscle Shoals, Alabama (the Granting Authority) as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of :

- (X) all state and local non-educational ad valorem taxes,
- (X) all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or
- (X) all mortgage and recording taxes,

as the same may apply to the fullest extent permitted by the Act. The period of abatement for the non-educational ad valorem taxes (if applicable) shall extend for a period of ten (10) years measured as provided in Section 40-9B-3(h) of the Act.

Section 2. The Mayor of the Granting Authority is authorized and instructed to enter into an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The Chairman and Secretary of the Granting Authority are authorized and directed to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

Council Member Willis moved that unanimous consent be given for immediate consideration of and adoption of said Resolution, which motion was seconded by Council Member Yarber and, upon said motion being put to a vote, a roll call was had and the vote was recorded as follows:

AYES: Council Member Willis, Council Member Yarber, 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 Willis then moved that the said Ordinance be finally adopted, which motion was seconded by Council Member Yarber 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 Willis, Council Member Yarber, Council Member Holland, Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford thereupon declared said motion carried and the resolution approved.

Mayor Bradford announced that the next item of business was consideration of a resolution consenting to the abatement of noneducational sales and use taxes for Whitesell Corporation at their distribution center on Gargis Lane in the Muscle Shoals police jurisdiction.

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

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2052-04

WHEREAS, the Industrial Development Board of Colbert County, Alabama has granted an abatement of taxes to Whitesell Corporation related to an expansion to its existing distribution center located on Gargis Lane in Colbert County, Alabama; and

WHEREAS, the distribution center, including the expansion, is located within the police jurisdiction of the City of Muscle Shoals and the taxes being abated include non-educational sales and use taxes levied within the police jurisdiction of the City of Muscle Shoals;

WHEREAS, Whitesell Corporation has filed a copy of its Application for Abatement of Taxes, including supporting documentation, in the offices of the City Clerk;

WHEREAS, the City of Muscle Shoals has been requested to consent to the abatement of taxes granted by The Industrial Development Board of Colbert County, Alabama to the extent the abatement affects taxes levied by the City of Muscle Shoals within its police jurisdiction.

NOW, THEREFORE, PREMISES CONSIDERED, the City Council of Muscle Shoals, Alabama hereby finds that the tax abatements granted by The Industrial Development Board of

Colbert County, Alabama to Whitesell Corporation related to the expansion to its distribution center located on Gargis Lane in Colbert County, Alabama is appropriate and a proper incentive for Whitesell Corporation to locate this project at the proposed site;

BE IT FURTHER RESOLVED that the consent of the City Council of Muscle Shoals, Alabama is hereby given to the tax abatements granted by The Industrial Development Board of Colbert County, Alabama to Whitesell Corporation related to the expansion to its distribution center located on Gargis Lane in Colbert County, Alabama.

Council Member Willis moved that unanimous consent be given for immediate consideration of and adoption of said Resolution, which motion was seconded by Council Member Yarber and, upon said motion being put to a vote, a roll call was had and the vote was recorded as follows:

AYES: Council Member Willis, Council Member Yarber, 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 Willis then moved that the said Ordinance be finally adopted, which motion was seconded by Council Member Yarber 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 Willis, Council Member Yarber, Council Member Holland,
Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford thereupon declared said motion carried and the resolution approved.

Mayor Bradford announced that the next item of business was the appropriation of \$15,000 to the Colbert County Commission to assist with the paving of 6th Street from Wilson Dam Road east to Gnat Pond Road.

Council Member Holland moved that unanimous consent be given for immediate consideration of said appropriation, which motion was seconded by Council Member Yarber and, upon said motion being put to a vote, a roll call was had and the vote was recorded as follows:

AYES: Council Member Willis, Council Member Yarber, 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 Holland then moved that the said appropriation be approved in the amount of \$15,000, which motion was seconded by Council Member Yarber 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 Willis, Council Member Yarber, Council Member Holland,
Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford thereupon declared said motion carried and the resolution 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