

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
May 4, 2015**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:20 p.m. on the 4th day of May, 2015 being the scheduled time and approved place for said meeting. The meeting was called to order by James Holland, President of the Council. The invocation was given by Rusty Wheelles. On roll call the following members were found to be present or absent, as indicated:

PRESENT: JOE PAMPINTO, NEAL WILLIS , MIKE LOCKHART
 JAMES HOLLAND, ALLEN NOLES
ABSENT: NONE

James Holland, 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 Pampinto and seconded by Council Member Lockhart and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of April 20, 2015 and approved the minutes as written.

Mayor Bradford congratulated the Fire Department personnel in attendance on the improved fire rating issued by the Insurance Services Office for the City. The rating improved from a 3 to 2. He also mentioned that paving work was ongoing for the East Avalon project. The Mayor also reported that Cypress Lakes is hosting the boys and girls high school golf regional finals today and Tuesday at the golf course.

President Holland announced that the next item of business was to consider the purchase of a loader for the public works department through the National Joint Powers Alliance purchasing cooperative.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2741 - 15

WHEREAS, the City Council of the City of Muscle Shoals, Alabama approved the purchase of a Skid Steer Loader to be utilized at the Public Works Department; and

WHEREAS, the Procurement Agent advised that the purchase must comply with the Alabama Competitive Bid Law requirements, and that a cooperative contract approved by the State of Alabama is valid for such purchase; and

WHEREAS, the Procurement Agent further advised that the purchase price for the John Deere Skid Steer loader 326E FT4 is \$40,057.46 to be purchased from John Deere Construction Retail Sales and further that John Deere Construction Retail Sales is the awarded contractual vendor for said item with National Joint Powers Alliance (NJPA), a State of Alabama approved purchasing cooperative; now

THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals that John Deere Construction Retail Sales, the contractual vendor of National Joint Powers Alliance (NJPA) is awarded the purchase of a mower for the total purchase price of \$40,057.46.

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

President Holland announced that the resolution had been approved.

Fire Chief Tim McMullins reported to the Council that the City had received an improved fire rating from the Insurance Services Office. The rating had improved from a 3 to a 2. He thanked his staff, the Utilities Board and the City Council for working together to secure the improved rating.

President Holland announced that the next item of business was a public hearing 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. 1468 - 15
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 B-2 District, to wit:

Begin at northwest corner of lot 672 in Detroit Park Subdivision being Colbert County Parcel I.D. # 08-09-31-2-003-012.000. Run due east for a distance of 320 feet being the west R.O.W. of Philadelphia Street. Thence run due south along the western R.O.W of Philadelphia Street for a distance of 2471 feet being the southeast corner of lot 779 of Detroit Park #3 Subdivision and Colbert County Parcel I.D. # 08-09-31-2-004-091-000. Thence run west for a distance of 555.14 feet being lot the southwest corner of lot 754 in Detroit Park #3 Subdivision and Colbert County Parcel I.D. #08-09-31-2-004-091-000. Thence run north for a distance of 2475 feet being the northwest corner of lot 672 in Detroit Park Subdivision Colbert County Parcel I.D. # 08-09-31-2-003-012.000 and being 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 4th day of May, 2015, at 6:30 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 Holland announced that now was the proper time for persons in favor and those in opposition to the ordinance to be recognized.

There being no one wishing to speak, President Holland 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 Pampinto, Council Member Willis, Council Member Lockhart,
Council Member Holland, Council Member Noles

NAYS: None

President Holland announced that the ordinance had been approved.

President Holland announced that the next item of business was a public hearing to consider the issuance of a Retail Table Wine License (off premises only) to Aldi Inc. dba Aldi 84 located at 516 W. Avalon Avenue.

President Holland noted that proper notice of the date, time and place of said hearing had been given and the matter was before the Council.

President Holland 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, President Holland stated that approval of the Retail Table Wine License (off premises only) 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 Lockhart,
Council Member Holland, Council Member Noles

NAYS: None

President Holland announced that the license had been approved.

President Holland announced that the next item of business was consideration of a resolution to authorize the submission of an application to the Alabama Industrial Development Authority for reimbursement of site development costs for North American Lighting.

Council Member Noles introduced the following resolution and moved for its adoption:
STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 1742 - 15

WHEREAS, the State of Alabama Industrial Development Authority provides funding for qualifying industrial development projects throughout the state; and

WHEREAS, the City of Muscle Shoals desires to apply for and receive funding for site improvement costs incurred in connection with the North American Lighting Inc., now

THEREFORE BE IT RESOLVED, by the City Council of the City of Muscle Shoals, Alabama that an application for funding be hereby approved for submission for reimbursement of site improvement costs incurred by North American Lighting Inc. in connection with the development project, and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute all necessary documents to fulfill the requirements of the grant program.

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

President Holland announced that the resolution had been approved.

Council Member Willis moved that the meeting be continued to Tuesday, May 5, 2015 at 12:00 o'clock noon in order to canvass the votes from the April 28, 2015 special municipal tax election. Council Member Pampinto seconded the motion and upon said motion being put to a vote all voted "AYE" and "NAYS" were none.

President Holland announced that the motion had been approved.

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