

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
September 8, 2009**

The Council of Muscle Shoals, Alabama met at the City Hall in said City at 6:30 p.m. on the 8th day of September 2009 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, JERRY KNIGHT GRISSOM, NEAL WILLIS
 JAMES HOLLAND, ALLEN NOLES, DAVID H. BRADFORD
ABSENT: NONE

Richard Williams, City Clerk, 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 Willis and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of August 17, 2009 and approved the minutes as written.

Mayor Bradford announced that the next item of business was consideration of a request from the Police Department for a travel advance in the amount of \$900.00. Department personnel will use the funds to procure equipment received under a Homeland Security Grant.

Council Member Willis moved that the travel advance in the amount of \$900.00 be approved. 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 travel advance 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 Lounge Retail Liquor License, Class 1 to Cartee Inc. dba PJ's, 701 Davison 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 5th day of October 2009, the Council will consider the approval of the license. At said time and place, all persons who desire to do so shall have an opportunity of being heard in opposition to or in favor of the approval of such license.

Mayor Bradford announced that the next item of business was consideration of a resolution to adopt the Colbert County Hazard Mitigation Plan.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2410 - 09

Whereas, Section 409 of the Robert T. Stafford Disaster Relief Act and Emergency Assistance Act (Public Law 93-228, as amended), Title 44 CFR, as amended by Section 102 of the Federal Disaster Mitigation Act of 2000, as administered by the Federal Emergency Management Agency, Region IV, requires and provides a framework for all state and local governments to review and evaluate a local hazard mitigation strategy to protect life and property through an assessment of risk and mitigation practices, as a condition of receiving Federal disaster and hazard mitigation assistance; and,

Whereas, the Colbert County Emergency Management Agency, along with other officials in Colbert County, has been involved in the development of the Colbert County Multi-Jurisdictional Hazard Mitigation Plan; and,

Whereas, the City of Muscle Shoals supports the enhancement and refinement of the Plan in accordance with guidance from the Alabama Emergency Management Agency and the Federal Emergency Management Agency; and,

Whereas, the Colbert County Multi-Jurisdictional Hazard Mitigation Plan has been reviewed by the Alabama Emergency Management Agency and the Federal Emergency Management Agency and has obtained approval pending adoption by local legislative bodies; and,

Whereas, the draft Colbert County Multi-Jurisdictional Hazard Mitigation Plan was advertised at a public meeting on August 5, 2008 and again following review by the Federal Emergency Management Agency and the Alabama Emergency Management Agency on August 11, 2009; now

THEREFORE, BE IT RESOLVED by the City of Muscle Shoals, Colbert County, ALABAMA that the Colbert County Multi-Jurisdictional Hazard Mitigation Plan is hereby adopted as the Colbert County Multi-Jurisdictional Hazard Mitigation Plan.

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 consideration of a resolution to support efforts to relocate railroad tracks from within the cities of Muscle Shoals, Sheffield, and Tuscumbia.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2411 - 09

WHEREAS, it has come to the attention of the members of the governing body of the City of Muscle Shoals that the Shoals Area Metropolitan Planning Organization is submitting an application for an ARRA TIGER discretionary grant to fund the proposed relocation of railroad tracks from west of Muscle Shoals to east of US Highway 43 in Colbert County, Alabama; and

WHEREAS, the City Council of the City of Muscle Shoals has determined that the present railroad tracks location within the cities of Tuscumbia, Sheffield, and Muscle Shoals is an impediment to the flow of traffic and impacts residential and commercial traffic patterns as well as hospital and medical facilities within the cities; and

WHEREAS, the City Council of the City of Muscle Shoals has determined that the relocation of the railroad tracks as proposed by the Shoals Area Metropolitan Planning Organization will (1) result in a positive economic impact, (2) result in safer and more convenient traffic flows along the streets and avenues of the cities, (3) provide for faster and better access to the hospitals, medical facilities, and police and fire protection within the cities; (4) allow for more convenient access to schools and business establishments within the cities; (5) eliminate waste of energy resources and the production of excessive hazardous emissions; (6) and reduce the risk of hazardous spills to public health and safety; now

THEREFORE BE IT RESOLVED by the City Council of the City of Muscle Shoals that the City supports the proposed relocation of the railroad tracks and asks that the ARRA TIGER grant application submitted by the Shoals Area Metropolitan Planning Organization be approved and awarded.

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 to appoint a member to the Shoals Economic Development Authority Board.

Mayor Bradford called for a vote on the candidates for appointment and a roll call vote was had and the vote recorded as follows:

Council Member Pampinto: Ronnie Garner

Council Member Willis: Ronnie Garner

Council Member Grissom: Ronnie Garner

Council Member Holland: Ronnie Garner

Council Member Noles: Ronnie Garner

Mayor Bradford: Ronnie Garner

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

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2412 - 09

WHEREAS, a vacancy on the Shoals Economic Development Authority Board 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 members to said board;

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

David Black Debbie Bradford Ronnie Garner

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

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

Council Member Pampinto: Ronnie Garner

Council Member Willis: Ronnie Garner

Council Member Grissom: Ronnie Garner

Council Member Holland: Ronnie Garner

Council Member Noles: Ronnie Garner

Mayor Bradford: Ronnie Garner

WHEREAS, Mayor Bradford announced that Ronnie Garner 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>
Ronnie Garner	SEDA Board	September 2012

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 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.

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