

ORDINANCE NO. 1507-18

AN ORDINANCE CALLING AN ELECTION IN THE CITY OF MUSCLE SHOALS ON AUGUST 28, 2018

BE IT ORDAINED by the City Council (herein called "the Council") of the City of Muscle Shoals (herein called "the City"), in the State of Alabama, as follows:

Section 1. Findings of Fact. The Council, upon evidence duly submitted to and considered by it, does hereby find and declare that the following facts are true and correct:

(a) A special election was duly called and held in the City on April 28, 2015, pursuant to Amendment No. 56 to the Constitution of Alabama of 1901, at which election a majority of the qualified electors of the City voting thereat did vote in favor of the continuation and renewal of the levy and collection of a special additional annual ad valorem tax (herein called "the Amendment No. 56 Tax") for the purpose of providing funds for public school purposes. The said tax was originally authorized by elections held in the City on December 9, 1957, April 7, 1987, and April 28, 2015, to be levied, and is now being levied, at the rate of 7.5 mills.

(b) The Council, by resolution adopted December 18, 2017, following a public hearing, proposed to increase the rate at which the Amendment No. 56 Tax is levied from 7.5 mills on each dollar to 12.5 mills on each dollar of the assessed value of taxable property.

(c) The Legislature of Alabama, through the enactment of Act 2018-241, has approved the said increase.

(d) The levy of the Amendment No. 56 Tax at the rate of 12.5 mills on each dollar of assessed value of taxable property, if approved by the electorate, shall be in continuation of the levy of the Amendment No. 56 Tax.

Section 2. Call of Election. A special municipal election is hereby called to be held in the City on Tuesday, the 28th day of August, 2018, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of submitting the following question or proposition to the qualified electors of the City and determining by ballot their will with respect thereto:

Whether the City shall be authorized to levy and collect, in addition to all other taxes now or hereafter authorized, the special annual ad valorem tax heretofore authorized for public school purposes to be levied and collected at the per annum rate of 7.5 mills at the increased per annum rate of 12.5 mills on each dollar of the assessed valuation of the taxable property in the City referred to in the notice of election set out in Section 3 of this ordinance.

Section 3. Notice of Election. The Mayor is hereby directed to give notice of the said election in the manner provided by law in substantially the following form by posting the same in the office of the Mayor at the Muscle Shoals City Hall, the Muscle Shoals Public Library, Gattman Park Recreation Center and First Metro Bank, Muscle Shoals Branch, the first posting to be made not later than the fourth Tuesday in June, 2018:

NOTICE OF SPECIAL MUNICIPAL ELECTION

Notice is hereby given that a special municipal election will be held in the City of Muscle Shoals in the State of Alabama on Tuesday, the 28th day of August, 2018, between the hours of 7:00 a.m. and 7:00 p.m., Central Time, at which there will be submitted to the qualified electors of the said City, for their determination by ballot, the following proposition:

Shall the City of Muscle Shoals be authorized to levy and collect at the rate of 1.25% (or 12.5 mills) of the assessed value of taxable property in the City (being an increase of 5 mills), the special ad valorem tax authorized at an election held on April 28, 2015, and now being levied at the rate of 7.5 mills, said tax to be levied and the proceeds thereof used for public school purposes in the City and said increase to be effective for each tax year of the City commencing with the tax year for which taxes of the City will become due and payable on October 1, 2019, and continuing for each successive tax year thereafter for a period of twenty-nine (29) years?

The said election shall be at the following regularly established voting places in the City at which shall be cast the ballots of the electors customarily voting at the said respective places:

Location of Voting Places

- | | |
|-------|--|
| Box 1 | First Southern Baptist Church
3806 South Wilson Dam Road
Muscle Shoals, Alabama |
| Box 2 | Gattman Park Recreation Center
1000 Gattman Park Drive
Muscle Shoals, Alabama |
| Box 3 | Woodward Avenue Baptist Church – Activities Center
801 Woodward Avenue
Muscle Shoals, Alabama |
| Box 4 | United Association of Plumbing and
Pipefitting Industry – Pavilion
2803 East Avalon Avenue
Muscle Shoals, Alabama |

Box 5 Grace Life Church
 1915 Avalon Avenue
 Muscle Shoals, Alabama

Box 6 Muscle Shoals City Hall
 2010 East Avalon Avenue
 Muscle Shoals, Alabama

Absentee Balloting:
Muscle Shoals City Hall
2010 East Avalon Avenue
Muscle Shoals, Alabama

All registered and qualified electors of the state, who reside within the corporate limits of the City of Muscle Shoals, and have resided therein for thirty (30) days or more immediately preceding the date of the election, and who are qualified to vote in the county precinct which embraces and covers that part of the corporate limits of the City in which the elector resides, will be authorized to participate in the election.

By order of the City Council.

David H. Bradford
Mayor of the City of Muscle Shoals

(End of form of notice)

Section 4. Form of Ballot. The following is hereby adopted as the form of the official ballot to be used at the said election on the proposition referred to in the Notice of Election set out in Section 3 of this ordinance, which ballot shall be prepared under the direction of the City Clerk for use in the voting machines at the respective voting places:

OFFICIAL BALLOT

SPECIAL MUNICIPAL TAX ELECTION
5 MILL INCREASE IN EXISTING 7.5 MILL SCHOOL TAX
CITY OF MUSCLE SHOALS, ALABAMA

AUGUST 28, 2018

INSTRUCTIONS TO VOTERS: [The appropriate instructions to voters shall be printed here.]

PROPOSITION

Shall the City of Muscle Shoals be authorized to levy and collect at the rate of 1.25% (or 12.5 mills) of the assessed value of taxable property in the City (being an increase of 5 mills), the special ad valorem tax authorized at an election held on April 28, 2015, and now being levied at the rate of 7.5 mills, said tax to be levied and the proceeds thereof used for public school purposes in the City; said increase to be effective for each tax year of the City commencing with the tax year for which taxes of the City will become due and payable on October 1, 2019, and continuing for each successive tax year thereafter for a period of twenty-nine (29) years?

() FOR said proposed 5 mill increase in existing 7.5 mill school tax, resulting in said 1.25% (or 12.5 mills) rate of taxation

() AGAINST said proposed 5 mill increase in existing 7.5 mill school tax, resulting in said 1.25% (or 12.5 mills) rate of taxation

The form of the official absentee ballot to be used at the said election shall be the same as the foregoing form of the official ballot with the following exceptions:

In lieu of the words "Official Ballot" appearing at the head of the form thereof, there shall be inserted in the official absentee ballot the words "Official Absentee Ballot"; and there shall be included with the official absentee ballot the forms of affidavit for absent voters substantially equivalent to the forms of affidavit prescribed therefor by law.

Section 5. Polling Places and Election Officials. The polling or voting places in the City for the holding of the said election are hereby designated and appointed as follows:

Location of Voting Place

- | | |
|-------|--|
| Box 1 | First Southern Baptist Church
3806 South Wilson Dam Road
Muscle Shoals, Alabama |
| Box 2 | Gattman Park Recreation Center
1000 Gattman Park Drive
Muscle Shoals, Alabama |
| Box 3 | Woodward Avenue Baptist Church – Activities Center
801 Woodward Avenue
Muscle Shoals, Alabama |
| Box 4 | United Association of Plumbing and
Pipefitting Industry – Pavilion
2803 East Avalon Avenue
Muscle Shoals, Alabama |
| Box 5 | Grace Life Church
1915 Avalon Avenue
Muscle Shoals, Alabama |
| Box 6 | Muscle Shoals City Hall
2010 East Avalon Avenue
Muscle Shoals, Alabama |

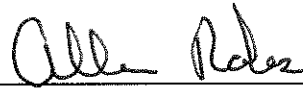
Absentee Balloting:
Muscle Shoals City Hall
2010 East Avalon Avenue
Muscle Shoals, Alabama

The Council will by resolution hereinafter to be adopted appoint and designate the election officials to conduct the said election at the said voting places.

Section 6. Canvass of Returns and Declaration of Results. The Council shall meet in the Council Chambers in the City Hall at 12:00 p.m., on September 4, 2018, being the first Tuesday next after the election, for the purpose of canvassing and declaring the results of said election. The of the results of the election shall be recorded in the minutes and proceedings of the Council and when so recorded said records shall be conclusive evidence of the matters therein stated and of the validity of the election, unless contested as required by law.

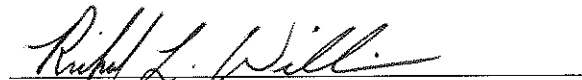
Section 7. Conduct of Election. Except as otherwise specifically provided herein, said special municipal election shall be conducted, canvassed, and the results thereof declared in the same manner as provided in Chapter 46 of Title 11 of the Code of Alabama 1975, as amended.

ADOPTED and APPROVED this the 4th day of June, 2018.



PRESIDENT OF THE CITY COUNCIL OF
THE CITY OF MUSCLE SHOALS, ALABAMA

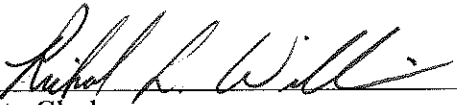
ATTEST:



CITY CLERK


TRANSMITTAL

I hereby certify that the foregoing Ordinance Number 1501 - 17 was passed on the 4th day of June 2018 by the City Council of the City of Muscle Shoals and was transmitted to the Mayor on the 5th day of June, 2018 at 4:00 p.m. o'clock.



City Clerk

APPROVED on June 8, 2018 at 8:30 a.m. o'clock



DAVID H. BRADFORD
Mayor of the City of Muscle Shoals, Alabama

CERTIFICATE OF POSTING

I, Richard L. Williams, City Clerk for the City of Muscle Shoals, Alabama, hereby certify that the above and foregoing Ordinance was duly and properly adopted by the Council of the City of Muscle Shoals, Alabama at a regular meeting of the said Council held on the 4th day of June, 2018 at 6:00 o'clock p.m. in said City.

The said Ordinance has been duly and properly published or posted on the 8th day of June, 2018, pursuant to and in compliance with Act. 2011-680 of the Acts of Alabama, by posting a copy of said Ordinance at the Office of the Mayor at City Hall in the City of Muscle Shoals, Alabama; Muscle Shoals Public Library; Muscle Shoals Recreation Building # 1, Gattman Park; and First Metro Bank, Muscle Shoals Branch; being four conspicuous public places lying and being within the City of Muscle Shoals, Alabama, there being no newspaper published and of general circulation in the City of Muscle Shoals, Alabama.

I certify that a copy of the said Ordinance has been posted to the City's website which may be found at www.cityofmuscleshoals.com.

Reasonable steps will be undertaken to maintain the postings for not less than thirty (30) days.

This 8th day of June, 2018.





RICHARD L. WILLIAMS
City Clerk