

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
November 1, 2010**

The Council of Muscle Shoals, Alabama met at the City Hall in said City at 6:00 p.m. on the 1st day of November, 2010 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, NEAL WILLIS, JERRY KNIGHT GRISSOM
 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 Pampinto and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of October 25, 2010 and approved the minutes as written.

Mayor Bradford presented Certificates of Recognition to senior center members who participated at the Master Games of Alabama. Receiving certificates were Bill Kratz, Ollie Michaels, Sue Owings, Betty Quillen, Betty Scott, Buford Scott, Eveline Wade and Betty Williams.

Mayor Bradford announced that the next item of business was the appointment of the municipal judge.

Council Member Noles moved that Williams Henry Marthalar III be reappointed.

Council Member Willis seconded the motion and upon said motion being put to a vote, those voting "AYE" were: Council Member Willis, Council Member Grissom, Council Member Holland, Council Member Noles, Mayor Bradford. Those voting "NAY" were Council Member Pampinto.

Mayor Bradford announced that the motion had passed and the appointment was approved for a two year period ending November, 2012.

Mayor Bradford announced that the next item of business was consideration of a resolution to appoint a member to the Colbert County Tourism and Conventions Bureau Board.

Council Member Grissom moved that unanimous consent be given for immediate consideration of and adoption of said Resolution, which motion was seconded by Council Member Pampinto and, upon said motion being put to a vote, a roll call was had and the vote was 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 announced the vote and declared that the motion for unanimous consent for immediate consideration had been approved.

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 2467 - 10

WHEREAS, the term of a member of the Colbert County Tourism and Conventions Bureau Board has expired and the City Council being desirous of making the necessary appointment to said board within the City;

WHEREAS, notice was given to the public of said pending vacancy and applications solicited for members to said board;

WHEREAS, the following individual made proper application and met the requirements for appointment, is eligible for appointment to fill the pending vacancy:

Thomas Pennington

Rick Patel

Paula Michael

WHEREAS, Thomas Pennington 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: Thomas Pennington

Council Member Willis: Thomas Pennington

Council Member Grissom: Thomas Pennington

Council Member Holland: Thomas Pennington

Council Member Noles: Thomas Pennington

Mayor Bradford: Thomas Pennington

WHEREAS, Mayor Bradford announced that Thomas Pennington 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>
Thomas Pennington	Tourism Board	October 2013

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.

Mayor Bradford announced that the next item of business was consideration of a resolution to authorize the Mayor to execute all documents necessary to effectuate the completion of the retail development project with Chandler - Wilson LLC.

Council Member Pampinto introduced the following resolution and moved that unanimous consent be given for immediate consideration of said Resolution:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2468 - 10

WHEREAS, the City Council of the City of Muscle Shoals, Alabama adopted a resolution pursuant to Section 94.01 (a) (3) of the Alabama Constitution of 1901, as amended (Amendment 772) for the purposes of inducing Chandler-Wilson, LLC to locate a Zaxby's restaurant in Muscle Shoals, Alabama; and

WHEREAS, the City Council finds that certain instruments and related documents may be required in connection with said project and is desirous of authorizing the execution and delivery of other instruments and related documents to Chandler-Wilson, LLC and other necessary parties in connection with the facilitation of the purposes of the said resolution;

BE IT FURTHER RESOLVED that the City Council of Muscle Shoals, Alabama does hereby authorize and direct the Mayor of the City, David H. Bradford, to execute and deliver on behalf of the City all documents and papers necessary and required to effectuate the purposes of the said resolution, being Resolution 2462-10, same being adopted on the 4th day of October 2010.

The 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 Pampinto, Council Member Willis, Council Member Grissom,
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 Pampinto and moved for adoption of the resolution and upon a second by Council Member Holland said motion being put to a vote, a roll call was had and the vote was 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 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