

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
March 21, 2016**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:30 p.m. on the 21<sup>st</sup> day of March, 2016 being the scheduled time and approved place for said meeting. The meeting was called to order by Allen Noles, 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  
          ALLEN NOLES  
ABSENT: NONE

Allen Noles, 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 Willis 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 March 1, 2016 and approved the minutes as written.

Mayor Bradford thanked the Council for making the Gattman Park gymnasium project a priority.

President Noles announced that the next item of business was the award of a bid to construct a new gymnasium in Gattman Park adjacent to the Senior Living Center.

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

**STATE OF ALABAMA  
COUNTY OF COLBERT**

**RESOLUTION NO. 2801-16**

**BE IT RESOLVED** by the Council of the City of Muscle Shoals, Alabama, that the City did send out advertisements for bids for the construction of a new gymnasium, the bid opening being set for the 8<sup>th</sup> day of March, 2016, at the City Hall of the City of Muscle Shoals, Alabama, and

**BE IT FURTHER RESOLVED** that at the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

<b>Bidder Name:</b>	<b>Base Bid Amount</b>	<b>Alt. #1</b>	<b>Performance Bond Price</b>	<b>Total Overall Bid Amount</b>
B.H. Craig Construction	\$979,000.00	\$32,852.00	\$8,000.00	\$1,019,852.00
Butler Construction Co.	\$929,600.00	\$34,400.00	\$20,000.00	\$984,000.00
Dymac Construction	\$915,600.00	\$33,700.00	\$16,000.00	\$965,300.00
H & N Construction	\$906,552.00	\$32,852.00	\$14,850.00	\$954,254.00
King & Associates	\$1,041,625.00	\$34,800.00	\$11,547.00	\$1,087,972.00
Smith General Contractors	\$958,370.00	\$32,400.00	\$7,535.00	\$998,305.00

**BE IT FURTHER RESOLVED** that the lowest, responsible, responsive bidder, after verifying the bid with the specifications, has been determined as H & N Construction with a total overall bid price of \$954,254.00, and

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the apparent low and best bidder, H & N Construction is now awarded the bid for the construction of a new gymnasium, for a total bid price of \$954,254.00 which includes Alternate #1 of the bid.

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

President Noles announced that the resolution had been approved.

President Noles announced that the next item of business was the selection of a Council Member to replace Jim Holland in place #4.

Council Member Pampinto nominated Terry McMinn. There being no further nominations, Council Member Lockhart moved that the nominations be closed. Council Member Willis seconded the motion and upon said motion being put to a vote all voted "AYE"

and “NAYS” were none.

President Noles directed the clerk to call the roll on the nomination of Terry McMinn and a roll call vote recorded as follows:

Council Member Pampinto: Terry McMinn  
Council Member Willis: Terry McMinn  
Council Member Lockhart: Terry McMinn  
Council Member Noles: Terry McMinn

President Noles announced that Terry McMinn had been appointed as Council Member - Place #4.

President Noles announced that the next item of business was the selection of a Council President Pro tempore.

Council Member Lockhart nominated Neal Willis. There being no further nominations, Council Member Lockhart moved that the nominations be closed and Neal Willis selected as President Pro tempore. Council Member Pampinto seconded the motion and upon said motion being put to a vote, a roll call was had and the vote recorded as follows:

Council Member Pampinto: Neal Willis  
Council Member Willis: Neal Willis  
Council Member Lockhart: Neal Willis  
Council Member Noles: Neal Willis

President Noles announced that Neal Willis had been appointed as Council President Pro tempore.

President Noles announced that the next item of business was consideration of a resolution to declare the police canine Zeus as surplus and authorize his transfer to his handler, Eric Kelley.

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

**STATE OF ALABAMA**  
**COLBERT COUNTY**

**RESOLUTION NUMBER 2802 - 16**

WHEREAS, the City Council has been informed by the Chief of Police that the department’s K-9 dog, Zeus, is no longer required for use by the police department; and

WHEREAS, the City Council is informed that the said K-9 dog, Zeus, is being replaced and that said K-9 dog, Zeus, is being retired from service effective March 21, 2016;

WHEREAS, the City Council has determined that the K-9 dog, Zeus, is surplus property and the City has no further use for said dog due to its age and condition and it is not economical for the City to continue to provide for its care and upkeep; and

WHEREAS, the Council has been informed of the terms and conditions of an Agreement whereby the ownership of the said dog, Zeus, shall be transferred unto Eric Kelley, his former handler within the department and finds that said terms and conditions are in the best interest of the City;

NOW, THEREFORE, the City Council of the City of Muscle Shoals, Alabama does hereby declare that the K-9 dog, Zeus, to be surplus property and be disposed of by the Chief of Police of the city in a manner that will require no further expenditure by the City nor expose the City to any liability in the further use of or transfer of said dog, Zeus; and the Council does hereby authorize the Chief of the Police Department to execute an agreement to transfer ownership of the department's said K-9 dog, Zeus, unto Eric Kelley.

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

President Noles announced that the resolution had been approved.

President Noles announced that the next item of business was approval of a resolution in support of a partnership with the University of North Alabama and eight counties and the cities and towns within those counties for a forensics laboratory.

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

**STATE OF ALABAMA  
COLBERT COUNTY**

**RESOLUTION NUMBER 2803 - 16**

**A RESOLUTION IN SUPPORT OF THE ESTABLISHMENT OF A FORENSICS  
LABORATORY TO BE OPERATED BY THE UNIVERSITY OF NORTH ALABAMA  
WITH SUPPORT OF AN EIGHT COUNTY/CITY COOPERATIVE AGREEMENT**

**WHEREAS**, The forensics laboratory operated by the State of Alabama closed its satellite office in Florence in 2011 requiring area law enforcement agencies to travel a greater distance to Huntsville for these critical services, and

**WHEREAS**, The forensics laboratory provided critical evidentiary support to law enforcement and the courts in the detection and prosecution of crime; and

**WHEREAS**, a proposal has been set forth by the University of North Alabama to

establish a forensics laboratory and teaching program within the university; and

**WHEREAS**, the proposal requires the financial support of the eight counties of Colbert, Franklin, Lauderdale, Lawrence, Limestone, Marion, Morgan and Winston and the cities and towns located within these counties based upon a per capita fee for a minimum period of three years, and

**WHEREAS**, further financial funding will be necessary to successfully support the forensics laboratory, specifically the addition of a \$25.00 increase in the bail bond fee in all local court systems; now

**THEREFORE BE IT HEREBY RESOLVED** by the City Council of the City of Muscle Shoals that the City of Muscle Shoals supports the efforts of the University of North Alabama to establish the forensics laboratory under the proposal set forth, and

**BE IT FURTHER RESOLVED** by the City Council requests that our local legislative delegation be urges to sponsor legislation to facilitate the establishment and on-going operation of this forensics laboratory.

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

President Noles announced that the resolution had been approved.

President Noles announced that the next item of business was consideration of an ordinance authorizing the sale of a lot on Wilson Dam Road.

Council Member Pampinto introduced the following ordinance in writing and moved for its immediate consideration:

## **ORDINANCE NUMBER 1488 - 16**

### **AN ORDINANCE RELATING TO THE DISPOSITION OF UNNEEDED REAL ESTATE OWNED BY THE CITY OF MUSCLE SHOALS, ALABAMA**

**WHEREAS**, the City of Muscle Shoals, Alabama is the owner of a certain parcel of real property located within the corporate limits of the City; same being hereinafter more particularly described; and

**WHEREAS**, the City has been approached by a prospective purchaser with an interest in purchasing said property; and

**WHEREAS**, upon review by the Council of the City of Muscle Shoals, Alabama, the Council finds that the said property is not being used for public or municipal purposes nor is it anticipated that said property will, in the future be used or needed for either public or municipal purposes; and

**WHEREAS**, the Council further finds that upon the disposal of the said property the City will no longer bear the expense of the maintenance and upkeep of the property; will have funds from the sale of the property for use for public purposes to benefit the City's citizens and to benefit from the prospective future tax revenues from the property being placed on the tax rolls as well as any future improvements and developments that may further increase the City's tax revenues; and

**WHEREAS**, the Council does further find and determine the disposal of the unneeded real property is in the best interest of the City and the said disposal of the unneeded real property and the benefits, both present and prospective, derived therefrom outweigh any benefit the City may receive by retaining its right, title and interest in said real property; and

**WHEREAS**, the Council has previously directed the City Clerk/Treasurer to solicit sealed bids from prospective purchasers; and

**WHEREAS**, sealed bids were received by the City Clerk/Treasurer until March 17, 2016 at 4:00 p.m. o'clock at which time bids were opened and read aloud as follows:

Martin & Aycock Properties	\$5,350.000
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**NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING FINDINGS, BE IT ORDAINED** by the City Council of the City of Muscle Shoals, Alabama as follows:

1. The City of Muscle Shoals, Alabama shall convey its right, title and interest in and to the real property, more particular described as follows, to wit:

Lot 14 in Muscle Shoals Center Subdivision #16A

unto Martin & Aycock Properties.

The said Martin & Aycock Properties, shall pay unto the City the sum of Five thousand three hundred and fifty (\$ 5,350.00) Dollars for the said real property.

Upon payment of said purchase price, the Mayor of the City, David H. Bradford, shall execute and deliver the City's deed to the property unto the said purchasers,

Furthermore, the Mayor, David H. Bradford, is authorized to execute and deliver any other instruments necessary and required to consummate the transaction.

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Council Member Willis seconded the motion and upon said motion 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 Noles

NAYS: None

President Noles announced that the motion for immediate consideration was unanimously adopted. Council Member Pampinto moved that the ordinance be adopted as presented. Council Member Willis seconded the motion and upon said motion 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 Noles

NAYS: None

President Noles announced the vote and declared that the ordinance was approved.

There being no further business to come before the meeting, upon the motion duly made and seconded the meeting was adjourned.

CITY OF MUSCLE SHOALS, ALABAMA  
a Municipal Corporation

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COUNCIL MEMBER - PLACE ONE

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COUNCIL MEMBER - PLACE TWO

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COUNCIL MEMBER - PLACE THREE

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COUNCIL MEMBER - PLACE FOUR

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COUNCIL MEMBER - PLACE FIVE

ATTEST:

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CITY CLERK