

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
June 6, 2016**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:00 p.m. on the 6<sup>th</sup> day of June, 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 Bill Howard. On roll call the following members were found to be present or absent, as indicated:

PRESENT: JOE PAMPINTO, NEAL WILLIS, MIKE LOCKHART  
TERRY MCMINN, 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. 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 Willis and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of May 17, 2016 and approved the minutes as written.

At this time Leon Madden, 203 Elliott Avenue appeared before the Council and was recognized. Mr. Madden thanked Scott Arndt and the staff at Cypress Lakes for their work on a recent golf tournament.

President Noles announced that the next item of business was consideration of a resolution to authorize the purchase of twelve (12) SCBA's for the fire department from the Houston-Galveston Area Cooperative-Buy.

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

STATE OF ALABAMA  
COUNTY OF COLBERT

**RESOLUTION NUMBER 2814-16**

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama approved the purchase of a self-contained breathing apparatus (SCBA's) to be utilized at Muscle Shoals Fire 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 twelve SCBA's is \$76,804.00 to be purchased from Sunbelt Fire and further that Sunbelt Fire is the awarded contractual vendor for said item with Houston-Galveston Area Cooperative-Buy (HGAC-Buy), a State of Alabama approved purchasing cooperative; now

**THEREFORE, BE IT RESOLVED** by the City Council of the City of Muscle Shoals that Sunbelt Fire the contractual vendor of HGAC-Buy is awarded the purchase of the approved SCBA's for the total purchase price of \$76,804.00.

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 resolution to approve the 3-C Planning Process for the Federal Highway Administration and the Federal Transit Administration and authorize the Mayor to execute any necessary documents.

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

STATE OF ALABAMA  
COLBERT COUNTY

### **RESOLUTION NUMBER 2815 - 16**

**WHEREAS**, section 134 of Title 23 of the United States Code and Chapter 53 Title 49 of the United States Code require that each urbanized area have a comprehensive, cooperative, continuing transportation planning process (commonly referred to as the "3-C" Process); and

**WHEREAS**, 23 U.S.C. Section 104 (f) and 49 U.S.C Chapter 53 authorize certain funds (commonly referred to as FHWA Planning funds and FTA Planning funds respectively) to be made available to designated transportation planning agencies for supporting the "3-C" Process; and

**WHEREAS**, the Northwest Alabama Council of Local Governments has been selected as the designated transportation planning agency for the Shoals Urbanized Area; and

**WHEREAS**, the State of Alabama receives funds from the Federal Highway Administration and the Federal Transit Administration which includes FHWA Planning funds and FTA Planning funds; and

**WHEREAS**, the State of Alabama has funds available for the designated agency for the “3-C” Planning Process in the Shoals Urbanized Area.

**NOW THEREFORE BE** it resolved by the City Council of the City of Muscle Shoals, Alabama that the Mayor be authorized to execute, and the City Clerk be authorized to attest, an agreement with the State of Alabama for administering the “3-C’ Planning Process.

Council Member McMinn 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 McMinn, Council Member Noles

NAYS: None

President Noles announced that the resolution had been approved.

President Noles announced that the next item of business was consideration of a resolution to authorize the Mayor to execute any documents required to complete the sale of lots 33-35 in The Village at Cypress Lakes Phase Two. President Noles recused himself from the presiding role and President Pro-Tem Willis presided.

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

STATE OF ALABAMA  
COLBERT COUNTY

### **RESOLUTION NUMBER 2816 - 16**

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama has received, reviewed and accepted various bids for the sale of certain lots in The Village at Cypress Lakes Phase Two;

**WHEREAS**, the City Council has determined to accept offers of a minimum of \$25,000.00 for the sale of various lots in The Village at Cypress Lakes Phase Two and has received such offer for the sale of one of the remaining lots that did not receipt an initial bid;

**WHEREAS**, the City Council seeks to authorize the execution of the various deeds to the lots in The Village at Cypress Lakes Phase Two to convey the City’s right, title and interest in and to said lots and to further accept the first offer for the remaining lot in the minimum amount of \$25,000.00 authorize the execution in the future for the sale of any remaining lots along with any other documents that may be required in connection with said sales of the lots;

**BE IT HEREBY RESOLVED** that the City Council of the City of Muscle Shoals does hereby approve the sale of the following lots unto the persons hereinafter named for the purchase price bid and/or offered and the execution of the deeds to:

Lot 35 to Stacy Lynn Akins for the bid price of \$30,200.00

Lot 34 to Anthony S. Hayes and Tanya D. Hayes for the bid price of \$27,100.00

Lot 33 to Allen Noles and Teena Noles for the offered price of \$25,000.00

**BE IT FURTHER RESOLVED** that the City Council of the City of Muscle Shoals, Alabama, does hereby authorize and direct the Mayor of the City, David H. Bradford, for and on behalf of the City to execute and deliver the deeds and any other instruments and related documents in connection with the sale of the lots hereinabove described.

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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:

AYES: Council Member Pampinto, Council Member Willis, Council Member Lockhart,  
Council Member McMinn

NAYS: None

ABSTAIN: Council Member Noles

President Pro-Tem Willis announced that the resolution had been approved.

President Noles announced that the next item of business was consideration of a resolution to approve the conveyance of real property to North American Lighting, Inc. (NAL) and authorize the Mayor to execute any necessary documents pursuant to the terms of a ground lease with NAL dated May 26, 2006.

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

STATE OF ALABAMA  
COLBERT COUNTY

### **RESOLUTION NUMBER 2817 -16**

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama entered into a ground lease with North American Lighting, Inc dated May 26, 2006 and extensions thereto; and

**WHEREAS**, pursuant to Article 16 of said ground lease, North American Lighting was granted an option to purchase the property described therein; and

**WHEREAS**, North American Lighting, Inc. has given notice to the City of Muscle Shoals of its intention to exercise said option to purchase the said property; and

**WHEREAS**, the City Council finds that certain instruments and related documents may be required in connection with said conveyance of the property to North American Lighting, Inc. and is desirous of authorizing the execution and delivery of the deed to the property and any other instruments and related documents to North American Lighting, Inc. in connection with the exercise of the option to purchase;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the City Council of the City of Muscle Shoals, Alabama, does hereby approve the conveyance of the property pursuant to the exercise of the option to purchase as set forth in Article 16 of the ground lease hereinabove described and does hereby authorize David H. Bradford as Mayor the City of Muscle Shoals, Alabama to execute and deliver the deed to the property described in said ground lease and any other required and related documents to North American Lighting, Inc. and the City Clerk is

hereby directed to retain a copy of the executed documents in the City's records.

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 McMinn, Council Member Noles

NAYS: None

President Noles announced that the resolution had been approved.

President Noles announced that the next item of business was consideration of a resolution to appoint a member to the North Alabama Gas District Board.

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

STATE OF ALABAMA  
COUNTY OF COLBERT

**RESOLUTION NUMBER 2818 - 16**

**WHEREAS**, the term of a member of the North Alabama Gas District 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, and is eligible for appointment to fill the pending vacancy:

William Anderson                      Stephen Kyle DeFoor                      Michael W. Elliott  
Milton David Osborn                      Kevin Self                      Troy Woodis  
Earnest Lee (Pete) Waldrep III

**WHEREAS**, Troy Woodis was determined to have received the best overall ranking on the City Council evaluations, and

**WHEREAS**, a roll call vote was had by City Council as follows:

Council Member Pampinto: Troy Woodis  
Council Member Willis: Troy Woodis  
Council Member Lockhart: Troy Woodis  
Council Member McMinn: Troy Woodis  
Council Member Noles: Troy Woodis

**WHEREAS**, President Noles announced that Troy Woodis 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:

APPOINTEE                      BOARD                      EXPIRATION OF TERM  
Troy Woodis                      North Alabama Gas District                      May 2022

The Clerk is hereby directed to notify the above named person of their appointment and

to further notify the respective board of said appointment.

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Council Member Willis 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.

Council Member Pampinto announced that the Council Committee on Recreation will meet on June 20, 2016 at 4:30 pm

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