

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
September 15, 2008**

---

The Council of Muscle Shoals, Alabama met at the City Hall in said City at 12:00 noon on the 15<sup>th</sup> day of September 2008 being the scheduled time and approved place for said meeting. The meeting was called to order by James Holland, Mayor Pro Tem 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  
ABSENT:    DAVID H. BRADFORD

Richard Williams, City Clerk of the City, was present and kept the minutes of the meeting.

James Holland, Mayor Pro Tem 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 Pampinto, seconded by Council Member Willis and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting of September 2, 2008 and approved the minutes as written.

Mayor Pro Tem Holland announced that the next item of business was to consider a request for a travel advance in the amount of \$1,940.75 for the Police Tactical Operations Team to attend training October 19 -24, 2008.

Council Member Willis moved that the request be approved as presented. Council Member Noles seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Pro Tem Holland announced that the Resolution had been approved.

Mayor Pro Tem Holland announced that the next item of business was consideration of amendments to the 2007-2008 General Fund Budget.

Council Member Noles introduced the following amended budget in writing:

Council Member Noles moved that unanimous consent be given for immediate consideration of and adoption of said General Fund Budget, which motion was seconded by Council Member Grissom 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

NAYS: None

Mayor Pro Tem Holland announced the vote and declared that the motion for unanimous consent for immediate consideration had been approved. Council Member Noles then moved that the said General Fund Budget be finally adopted, which motion was seconded by Council Member Grissom and, upon said motion being put to a vote, a roll call on final approval was had and the vote recorded as follows:

AYES: Council Member Pampinto, Council Member Willis, Council Member Grissom, Council Member Holland, Council Member Noles

NAYS: None

Mayor Pro Tem Holland thereupon declared said motion carried and the General Fund Budget approved.

Mayor Pro Tem Holland announced that the next item of business was to a resolution to authorize the submission of an application for 2009 Transportation Enhancement funds from the Alabama Department of Transportation for sidewalk construction.

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

STATE OF ALABAMA  
COLBERT COUNTY

### **RESOLUTION NUMBER 2346 - 08**

**WHEREAS**, the Alabama Department of Transportation is soliciting applications for Transportation Enhancement Projects for FY 2009, and

**WHEREAS**, the City of Muscle Shoals desires to apply for and receive funding for the 2009 Muscle Shoals Downtown Beautification Project in the amount of \$515,775, and

**WHEREAS**, the City of Muscle Shoals agrees to match twenty percent (20%) of said project cost,

**NOW, THEREFORE BE IT RESOLVED, THAT** the City of Muscle Shoals does hereby approve the submission of the 2009 Muscle Shoals Downtown Beautification Project.

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

Mayor Pro Tem Holland announced that the Resolution had been approved.

Mayor Pro Tem Holland announced that the next item of business was to a resolution to authorize the Mayor to enter into an agreement with the Northwest Alabama Council of Local Governments (NACOLG) to perform administration services for an ADECA - Land and Water Conservation grant.

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

**STATE OF ALABAMA  
COLBERT COUNTY**

**RESOLUTION NUMBER 2347 - 08**

---

**A RESOLUTION AUTHORIZING NORTHWEST ALABAMA COUNCIL OF LOCAL GOVERNMENTS TO PERFORM CERTAIN SERVICES IN THE ADMINISTRATION OF ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS-LAND AND WATER CONSERVATION FUND GRANT PROGRAM, PROJECT NUMBER LWCF PROJECT 08-LW-920 ON BEHALF OF THE CITY OF MUSCLE SHOALS, ALABAMA**

---

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama has entered into negotiations with Northwest Alabama Council of Local Governments [NACOLG] for the performance of administrative requirements of the Alabama Department of Economic and Community Affairs- Land and Water Conservation Fund Grant Program; and

**WHEREAS**, the City and NACOLG have agreed upon terms and conditions for the undertaking of the services to be rendered by NACOLG hereinafter referred to as the Scope of Services and the Council has determined that the terms and conditions are as agreed upon by the City; and

**WHEREAS**, the City Council has reviewed the contents of an instrument styled Project Number LWCF Project 08-LW-920 and finds that said instrument is in due form and proper order and upon consideration of same determines that it is wise and expedient that the City execute and deliver said instrument to NACOLG; and

**WHEREAS**, the City Council finds that other 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 in connection with the said Project Number LWCF Project 08-LW-920 as above described;

**BE IT HEREBY 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 the instrument styled Project Number LWCF Project 08-LW-920 with NACOLG;

**BE IT FURTHER RESOLVED** that the Mayor of the City, David H. Bradford, be, and hereby is, authorized to execute and deliver any instruments and related documents in connection with the said Project Number LWCF Project 08-LW-920 with NACOLG that he may deem necessary for and on behalf of the City;

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be prepared forthwith by the Clerk and delivered unto NACOLG along with the executed instrument styled LWCF Project 08-LW-920 herein described and furthermore shall retain a copy to be kept on file by the said Clerk.

---

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

Mayor Pro Tem Holland announced that the Resolution had been approved.

Mayor Pro Tem Holland announced that the next item of business was consideration of a resolution to establish the meeting dates for the City Council for fiscal year 2008 - 2009.

Council Member Willis introduced the following resolution in writing in the meeting:

STATE OF ALABAMA  
COLBERT COUNTY

### **RESOLUTION NUMBER 2348 - 08**

**WHEREAS**, Act #2005-40, enacted by the Alabama Legislature, addresses the manner in which municipalities conduct and give notice of public meetings of the governing body, and

**WHEREAS**, Act #2005-40, the Alabama Open Meetings Act, becomes effective on October 1, 2005, and

**WHEREAS**, the Alabama Open Meetings Act requires notice to the public of meetings of governmental bodies covered by the act, now

**THEREFORE BE IT RESOLVED** By the City Council of the City of Muscle Shoals, Alabama that notice is hereby given of the regular meetings of the City Council for the fiscal year commencing on October 1, 2008 and ending on September 30, 2009 as noted on Exhibit "A" of this resolution, and

**BE IT FURTHER RESOLVED** that all regular meetings of the City Council shall commence at 6:30 p.m. in the City Hall Auditorium located at 2010 E. Avalon Avenue and shall be preceded by a work session of the City Council one hour earlier, and

**BE IT FURTHER RESOLVED** that public notice of special or emergency meetings of the City Council shall be given to the public by posting notice on the bulletin board in city hall, and

**BE IT FURTHER RESOLVED** that any member of the public or media desiring direct notification of meetings of the City Council shall do so in writing on forms provided by the City Clerk, and

**BE IT FURTHER RESOLVED** that direct notice of public meetings of the City Council shall be distributed by the City Clerk by any method, at his discretion, likely to provide the requested notice as provided under Act #2005-40.

**EXHIBIT “A”**  
Schedule of Regular Meetings/Work Sessions  
Muscle Shoals City Council

Monday, October 6, 2008  
Monday, October 20, 2008  
Monday, November 3, 2008  
Monday, November 17, 2008  
Monday, December 1, 2008  
Monday, December 15, 2008  
Monday, January 5, 2009  
Tuesday, January 20, 2009 (Conflict with Martin Luther King Federal Holiday)  
Monday, February 2, 2009  
Monday, February 16, 2009  
Monday, March 2, 2009  
Monday, March 23, 2009 (Conflict with NLC meeting - Washington)  
Monday, April 6, 2009  
Monday, April 20, 2009  
Monday, May 11, 2009 (Conflict with AL League - Montgomery)  
Monday, May 18, 2009  
Monday, June 1, 2009  
Monday, June 15, 2009  
Monday, July 6, 2009  
Monday, July 20, 2009  
Monday, August 3, 2009  
Monday, August 17, 2009  
Tuesday, September 8, 2009 (Conflict with Labor Day Holiday)  
Monday, September 21, 2009

---

Council Member Noles seconded the motion and upon said motion being put to a vote, all voted “AYE” and “NAYS” were none.

Mayor Pro Tem Holland 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