

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
November 19, 2012**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall Auditorium in said City at 6:35 p.m. on the 19<sup>th</sup> day of November, 2012 being the scheduled time and approved place for said meeting. The meeting was called to order by James Holland, 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,  
          JAMES HOLLAND, ALLEN NOLES  
ABSENT: NONE

James Holland, 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 seconded by Council Member Lockhart and unanimously adopted, the Council waived the reading of the minutes of the previously held organizational meeting and work session of November 5, 2012 and approved the minutes as written.

President Holland announced that the next item of business was the approval of a bid for the purchase of a bucket truck for the public works department.

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

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NUMBER 2590-12**

**BE IT RESOLVED** by the Council of the City of Muscle Shoals, Alabama as follows:

[1] That the Procurement Agent did send out advertisements for bids for the purchase of a previously owned, 37 Ft. Insulated Hydraulic Telescopic Aerial Device Truck, the bid opening being held November 14, 2012 at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

<b><u>BIDDER:</u></b>	<b><u>BID AMOUNT:</u></b>
Altec NUECO	\$58,000.00
Ingram Equipment	No Bid

[3] **BE IT FURTHER RESOLVED**, that the lowest, responsive, responsible bidder after evaluation and verifying the bid with the specifications, has been determined as Altec NUECO with a total bid price of \$58,000.00.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the apparent low and best bidder, Altec NUECO is now awarded the bid for the purchase of a previously owned, 37 Ft. Insulated Hydraulic Telescopic Aerial Device Truck.

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

President Holland announced that the Resolution had been approved.

President Holland announced that the next item of business was consideration of a resolution to authorize the Mayor to execute an agreement with the Alabama Department of Transportation for ATRIP grant funds to resurface Avalon Avenue from Woodward Avenue to Wilson Dam Road.

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

STATE OF ALABAMA  
COUNTY OF COLBERT

**RESOLUTION NUMBER 2591 - 12**

**BE IT RESOLVED**, by the City Council of the City of Muscle Shoals, Alabama as follows:

1. That the City enters into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for:

the resurfacing on Avalon Avenue between US-43 (Woodward Avenue) and SR-133 (Wilson Dam Road). Length – 1.74 miles. roject # ACOA58387-ATRP (001), ATRIP# 17-01-01.

2. That the agreement be executed in the name of the City, by its Mayor, for and on its behalf.
3. That the agreement be attested by the City Clerk and the seal of the City affixed thereto.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City Clerk.

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

President Holland announced that the Resolution had been approved.

President Holland announced that the next item of business was the approval of a resolution to appoint certain members to the Board of Directors of the HealthGroup of Alabama.

Council Member Willis introduced the following resolution and moved for its adoption:  
COLBERT COUNTY  
STATE OF ALABAMA

**RESOLUTION NUMBER 2592 - 12**

**WHEREAS**, the City Council of Muscle Shoals, Alabama is the appointing authority for certain members to the Board of Directors of The Health Care Authority of North Alabama d/b/a HealthGroup of Alabama; and

**WHEREAS**, the City Council deems it necessary and expedient that said appointments be made to insure the continued efficient and orderly conduct of the The Health Care Authority of North Alabama d/b/a HealthGroup of Alabama’s business; and

**WHEREAS**, the City Council has determined that the nominations for members to the Board of Directors have been submitted in accordance with the Certificate of Incorporation of The Health Care Authority of North Alabama d/b/a HealthGroup, and

**WHEREAS**, the City Council finds it necessary and expedient to appoint members to the Board of Directors for Places 1, 2, 3, 4, 5, and 6 and hereby proceeds to do so;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Muscle Shoals, Alabama that the following named persons are hereby appointed as members of the Board of Directors of The Health Care Authority of North Alabama d/b/a HealthGroup of Alabama, said appointments are for the places on the Board of Directors hereinafter set forth by the name of the appointee and for the term expiring as shown herein:

<u>Place #</u>	<u>Appointee</u>	<u>Expiration of Term</u>
Place 1	Steve Smith	December 31, 2014
Place 2	Nicolas B. Roth	December 31, 2014
Place 3	Larry Collum	December 31, 2014
Place 4	Phil Bentley	December 31, 2014
Place 5	Donald Slappey, M.D.	December 31, 2014
Place 6	Douglas Ruggles	December 31, 2014

**BE IT FURTHER RESOLVED** by the City Council of Muscle Shoals, Alabama that the

Clerk of the City shall prepare a certified copy of this Resolution and deliver a copy of same to the Chief Executive Officer of The Health Care Authority of North Alabama d/b/a HealthGroup of Alabama.

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Council Member Pampinto seconded the motion upon said motion being put to a vote, the following vote was recorded:

“AYES”: Council Member Pampinto, Council Member Willis, Council Member Holland,  
Council Member Noles

“NAYS”: None

Abstaining was Council Member Lockhart.

President Holland announced that the Resolution had been approved.

President Holland announced that the next item of business was consideration of a resolution to authorize the Mayor to execute an agreement with the Shoals Industrial Development Committee for the sale of approximately 334 acres in the Shoals Research Airpark.

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

STATE OF ALABAMA

COLBERT COUNTY

### **RESOLUTION NUMBER 2593-12**

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama has entered into negotiations with Shoals Industrial Development Committee for the sell of certain of the City’s real property; and

**WHEREAS**, the City Council has reviewed an agreement for the sale and purchase of said property styled PURCHASE AND SALE AGREEMENT and finds the terms and conditions thereof acceptable to the City;

**WHEREAS**, the City Council is desirous of entering into said Purchase and sale Agreement under the terms and conditions contained therein and finds that doing so is wise and expedient that the City do so; and

**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 take the necessary steps to enter into and execute the Purchase and Sale Agreement on behalf of the City to sell the property described therein unto Shoals Industrial Development Committee under the terms and conditions set forth in said agreement.

**BE IT FURTHER RESOLVED** that the Mayor shall be authorized to take the necessary steps to comply with the terms and conditions of said agreement and to execute and deliver on behalf of the City the necessary documents to effectuate the sale of the property unto Shoals Industrial Development Committee under the terms and conditions set forth in said agreement.

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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 Holland announced that the Resolution had been approved.

President Holland announced that the next item of business was consideration of a resolution to authorize the Mayor to execute an agreement with the Muscle Shoals Board of Education for the School Resource Officer Program.

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

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NUMBER 2594-12**

**WHEREAS**, the City Council has reviewed an agreement for the sale and purchase of said property styled

**AGREEMENT BETWEEN  
THE SCHOOL BOARD OF MUSCLE SHOALS, ALABAMA  
AND  
THE MUSCLE SHOALS POLICE DEPARTMENT  
FOR  
THE SCHOOL RESOURCE OFFICER PROGRAM**

and finds the terms and conditions thereof acceptable to the City;

**WHEREAS**, the City Council is desirous of entering into the above referenced agreement under the terms and conditions contained therein and finds that doing so is wise and expedient that the City do so; and

**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 take the necessary steps to enter into and execute the above referenced agreement on behalf of the City and Robert Evans as Chief of the City’s Police Department to execute same.

**BE IT FURTHER RESOLVED** that the Clerk shall forthwith cause an executed copy of the above referenced agreement to be delivered to The School Board of Muscle Shoals, Alabama and retain an executed copy in the City’s files and records.

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

President 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

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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