

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
June 17, 2013**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall Auditorium in said City at 6:05 p.m. on the 17<sup>th</sup> day of June, 2013 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 Bill Howard. 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 Willis and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of June 10, 2013 meeting and approved the minutes as written.

Mayor Bradford announced that the City had received a notice of grant award from the State of Alabama for a \$333,000 Industrial Access grant. He also indicated that the City had received verbal approval from the Alabama Department of Economic and Community Affairs for a \$250,000 grant for extension of water and sewer infrastructure. Both grants are related to the CBC INGS America Inc. project in the Shoals Research Airpark.

President Holland announced that the next item of business was a public hearing to consider the issuance of a Special Events Retail Liquor License to Down & Out LLC dba Champy's located at 120 Second Street for June 22, 2013.

President Holland noted that proper notice of the date, time and place of said hearing had been given and the matter was before the Council.

President Holland stated that the Council would hear from those persons in support of the issuance of the license as well as those opposed.

There being no one wishing to speak, President Holland stated that approval of the liquor license was before the Council. All those in favor of the application would indicate so by voting aye and those opposed would indicate by voting nay. Upon said question 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 Holland, Council Member Noles

NAYS: None

President Holland announced that the license had been approved.

President Holland announced that the next item of business was the presentation of the City's financial audit for the year ended September 30, 2012. Following their review, President Holland directed the City Clerk/Treasurer to spread the audit on the minutes of this meeting.

Audit Available upon request. Call 256/389-2120  
or email to [mshoals@hiwaay.net](mailto:mshoals@hiwaay.net)

President Holland announced that the next item of business was consideration of a resolution to make an appointment to the Civil Service Board.

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

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NUMBER 2622 - 13**

**WHEREAS**, the term of a member of the Civil Service Board of the City of Muscle Shoals 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 a member to said board;

**WHEREAS**, the following individuals made proper application and met the requirements for appointment, are eligible for appointment to fill the pending vacancy:

Adam Buchanan

Mike Price

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

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

Council Member Pampinto: Mike Price

Council Member Willis: Mike Price

Council Member Lockhart: Mike Price

Council Member Holland: Mike Price

Council Member Noles: Mike Price

**WHEREAS**, Council President Holland announced that Mike Price 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 a term effective until June 20, 2016.

APPOINTEE

BOARD

EXPIRATION OF TERM

Mike Price

Civil Service Board

June 20, 2016

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 Noles seconded the motion and upon said motion being put to a vote the following vote was recorded:

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

NAYS: None

President Holland announced the vote and declared that the resolution was adopted and approved

President Holland announced that the next item of business was consideration of a resolution to approve a grant application to the Alabama Department of Transportation for sidewalk construction along Sheffield Avenue.

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

STATE OF ALABAMA  
COLBERT COUNTY

### **RESOLUTION NUMBER 2623 - 13**

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama has reviewed the scope of work for the proposed Alabama Department of Transportation (ALDOT) FY 2013 Transportation Alternatives Program Application, now

**THEREFORE BE IT RESOLVED** By the City Council of the City of Muscle Shoals, Alabama that the proposed application be approved and

**BE IT FURTHER RESOLVED** that the Mayor be authorized to execute any necessary documents to complete the submission of the application to ALDOT.

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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 the vote and declared that the resolution was adopted and approved

President Holland announced that the next item of business was consideration of a resolution to approve a grant application to the Shoals Economic Development Fund for funding of the engineering design costs for an industrial access grant and match funds for a Community Development Block Grant. Both projects are related to the CBC INGS America, Inc. project.

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

STATE OF ALABAMA  
COLBERT COUNTY

### **RESOLUTION NUMBER 2624 - 13**

#### **AUTHORIZING AND APPROVING APPLICATION FOR THE SHOALS ECONOMIC DEVELOPMENT FUND**

**WHEREAS**, the City of Muscle Shoals has prepared an application for a request for funding from the Shoals Economic Development Fund (hereinafter referred to as “SEDF”), and

**WHEREAS**, one of the stated purposes/uses of the SEDF is “to foster activities and policies conducive to expansion of existing industries within either of the counties or any city or town therein”, and

**WHEREAS**, certain incentives and infrastructure improvements at the Shoals Research Airpark in the City of Muscle Shoals are necessary to accommodate the construction of the CBC INGS America, Inc. manufacturing facility, now

**THEREFORE, BE IT RESOLVED BY THE CITY OF MUSCLE SHOALS:**

1. That the City of Muscle Shoals requests up to \$135,550.00 in SEDF funding for construction of necessary infrastructure improvements in the Shoals Research Airpark;
2. That the Mayor is duly authorized to sign said application for and act on behalf of the City of Muscle Shoals and is further authorized to execute all other documents required for application or disbursement of SEDF funds for the City of Muscle Shoals.

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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 the vote and declared that the resolution was adopted and approved

President Holland announced that the next item of business was consideration of a resolution to approve an indemnification agreement with CBC INGS America, Inc.

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

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NUMBER 2625 - 13**

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama has received a request from CBC INGS America Inc. to allow its agents and contractors to enter onto the property at Shoals Research Airpark for the purposes of commencing construction of a manufacturing facility described in the Project Development Agreement between Shoals Economic Development Authority and CBC INGS America Inc.; and

**WHEREAS**, CBC INGS America Inc. has presented to the City Council an agreement indemnifying the City and others from any liability for damages caused by the said CBC INGS America Inc., its agents, employees and or contractors; and

**WHEREAS**, the City Council has reviewed said agreement and determined that it is acceptable to the City and wishes to authorize CBC INGS America Inc., its agents, employees and contracts to enter into said property for the purpose of commencement construction of its manufacturing facility; now

**THEREFORE BE IT HEREBY RESOLVED** that the City Council of the City of Muscle Shoals, Alabama, does hereby approve and accept the terms of the agreement of indemnity from CBC INGS America Inc. insofar as same indemnifies the City from any liability or damage arising from the entering of the property at Shoals Research Airpark and for any of its activities thereon and does further authorize CBC INGS America Inc. to enter upon the property at Shoals Research Airpark for the purposes of commencing the construction of its manufacturing facility pursuant to the terms of the indemnity agreement.

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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 Holland announced the vote and declared that the resolution was adopted and approved

President Holland announced that the Police Council Committee will meet on July 1<sup>st</sup> at 5:00 pm to discuss issues relative to their operations.

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