

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
July 21, 2008**

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The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:30 p.m. on the 21<sup>st</sup> of July 2008 being the regularly scheduled time and approved place for said meeting. The meeting was called to order by David Bradford, Mayor of the City. The invocation was given by Paul McDougle. On roll call the following members were found to be present or absent, as indicated:

PRESENT:   JOE PAMPINTO, JERRY KNIGHT GRISSOM  
              JAMES HOLLAND, ALLEN NOLES, DAVID H. BRADFORD  
ABSENT:    NEAL WILLIS

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

David Bradford, Mayor 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 Holland, seconded by Council Member Pampinto and unanimously adopted, the Council waived the reading of the minutes of the previously held work session and regular meeting of July 14, 2008 and approved the minutes as written.

At this time, Margaret Farley, 1100 Tyler Avenue appeared before the Council and addressed her concerns about the widening of a portion of Glendale Avenue.

Mayor Bradford announced that the next item of business adoption of a resolution declaring Neal Willis duly elected to the office of Council Member Place Number 2 commencing on the first Monday of November, 2008.

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

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NUMBER 2337 - 08**

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualifications has passed, then such person shall, for all purposes, be deemed elected to such office, and the Mayor shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the City of Muscle Shoals, Alabama has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of City Council - Place No. 2 prior to the deadline and that the name of that person who filed such statement was Neal Willis.

NOW, THEREFORE, BE IT RESOLVED by the City of Muscle Shoals Council of the City of Muscle Shoals that Neal Willis be and he is hereby declared duly elected to the office of City Council - Place No. 2 of the City of Muscle Shoals, Alabama commencing on the first Monday in November, 2008, and

BE IT FURTHER RESOLVED, that the Mayor of the City of Muscle Shoals be and he hereby is directed to issue a certificate of election to Neal Willis for the office of City Council - Place No. 2 of the City of Muscle Shoals, Alabama for such term pursuant to the provisions of Section 11-46-25, as amended.

Council Member Noles seconded the motion and upon said motion being put to a vote, Voting "AYE" were Council Member Pampinto, Council Member Grissom, Council Member Holland, Council Member Noles and Mayor Bradford. "NAYS" were none.

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business adoption of a resolution declaring James E. Holland duly elected to the office of Council Member Place Number 4 commencing on the first Monday of November, 2008.

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

**RESOLUTION NUMBER 2338 - 08**

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualifications has passed, then such person shall, for all purposes, be deemed elected to such office, and the Mayor shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the City of Muscle Shoals, Alabama has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of City Council - Place No. 4 prior to the deadline and that the name of that person who filed such statement was James E. (Jim) Holland.

NOW, THEREFORE, BE IT RESOLVED by the City of Muscle Shoals Council of the City of Muscle Shoals that James E. (Jim) Holland be and he is hereby declared duly elected to the office of City Council - Place No. 4 of the City of Muscle Shoals, Alabama commencing on the first Monday in November, 2008, and

BE IT FURTHER RESOLVED, that the Mayor of the City of Muscle Shoals be and he hereby is directed to issue a certificate of election to James E. (Jim) Holland for the office of City Council - Place No. 4 of the City of Muscle Shoals, Alabama for such term pursuant to the provisions of Section 11-46-25, as amended.

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Council Member Grissom seconded the motion and upon said motion being put to a vote, Voting "AYE" were Council Member Pampinto, Council Member Grissom, Council Member Noles and Mayor Bradford. "NAYS" were none. Abstaining was Council Member Holland. Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business adoption of a resolution declaring Allen Noles duly elected to the office of Council Member Place Number 5 commencing on the first Monday of November, 2008.

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

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NUMBER 2339 - 08**

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualifications has passed, then such person shall, for all purposes, be deemed elected to such office, and the Mayor shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the City of Muscle Shoals, Alabama has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of City Council - Place No. 5 prior to the deadline and that the name of that person who filed such statement was Allen Noles.

NOW, THEREFORE, BE IT RESOLVED by the City of Muscle Shoals Council of the City of Muscle Shoals that Allen Noles be and he is hereby declared duly elected to the office of City Council - Place No. 5 of the City of Muscle Shoals, Alabama commencing on the first

Monday in November, 2008, and

BE IT FURTHER RESOLVED, that the Mayor of the City of Muscle Shoals be and he hereby is directed to issue a certificate of election to Allen Noles for the office of City Council - Place No. 5 of the City of Muscle Shoals, Alabama for such term pursuant to the provisions of Section 11-46-25, as amended.

Council Member Holland seconded the motion and upon said motion being put to a vote, Voting "AYE" were Council Member Pampinto, Council Member Grissom, Council Member Holland and Mayor Bradford. "NAYS" were none. Abstaining was Council Member Noles.

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business adoption of a resolution declaring David H. Bradford duly elected to the office of Mayor commencing on the first Monday of November, 2008.

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

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NUMBER 2340 - 08**

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualifications has passed, then such person shall, for all purposes, be deemed elected to such office, and the Mayor shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the City of Muscle Shoals, Alabama has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of Mayor prior to the deadline

and that the name of that person who filed such statement was David H. Bradford.

NOW, THEREFORE, BE IT RESOLVED by the City of Muscle Shoals Council of the City of Muscle Shoals that David H. Bradford be and he is hereby declared duly elected to the office of Mayor of the City of Muscle Shoals, Alabama commencing on the first Monday in November, 2008, and

BE IT FURTHER RESOLVED, that the Mayor of the City of Muscle Shoals be and he hereby is directed to issue a certificate of election to David H. Bradford for the office of Mayor of the City of Muscle Shoals, Alabama for such term pursuant to the provisions of Section 11-46-25, as amended.

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Council Member Pampinto seconded the motion and upon said motion being put to a vote, Voting "AYE" were Council Member Pampinto, Council Member Grissom, Council Member Holland, Council Member Noles. "NAYS" were none. Abstaining was Mayor Bradford.

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business was consideration of a resolution authorize the Mayor to execute all documents in connection with an application for a site improvement grant for the North American Lighting Inc. project.

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

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NUMBER 2341 - 08**

**WHEREAS**, the State of Alabama Industrial Development Authority provides funding for qualifying industrial development projects throughout the state; and

**WHEREAS**, the City of Muscle Shoals desires to apply for and receive funding for site improvement costs incurred in connection with the North American Lighting Inc. project in the city, now

**THEREFORE BE IT RESOLVED**, by the City Council of the City of Muscle Shoals, Alabama that an application for funding be hereby approved for submission for reimbursement of site improvement costs incurred by the city in connection with the North American Lighting Inc. project, and

**BE IT FURTHER RESOLVED** that the Mayor is authorized to execute all necessary documents to fulfill the requirements of the grant program.

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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.

Mayor Bradford announced that the Resolution had been approved.

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

CITY OF MUSCLE SHOALS, ALABAMA  
a Municipal Corporation

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MAYOR

\_\_\_\_\_  
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