

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
July 25, 2016**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:15 p.m. on the 25th day of July, 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 Rusty Wheelles. 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. Mayor David Bradford was also present. 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 McMinn and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of July 5, 2016 and approved the minutes as written.

Mayor Bradford reported to the Council that the Pepi Drive project had been completed. He also reviewed several W. C. Handy events that the City was hosting during Handy week.

President Noles announced that the next item of business was consideration of a resolution to appoint a member to the Civil Service Board.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2824 - 16

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:

Joshua W. Aycock	Steve Bradford	Larry D. Brock
Donald Ray Coons	Pam Marks Gargis	William J. Gilmore
Chris King	Paula P. Michael	Earnest (Pete) Waldrep

WHEREAS, Paula P. Michael 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: Paula P. Michael
Council Member Willis: Paula P. Michael
Council Member Lockhart: Paula P. Michael
Council Member McMinn: Paula P. Michael
Council Member Noles: Paula P. Michael

WHEREAS, Council President Noles announced that Paula P. Michael 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, 2019.

<u>APPOINTEE</u>	<u>BOARD</u>	<u>EXPIRATION OF TERM</u>
Paula P. Michael	Civil Service Board	June 20, 2019

The Clerk is hereby directed to notify the above named persons of their appointment and to further notify the respective board of said appointments.

Council Member McMinn 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 consideration of a resolution to declare David H. Bradford as the duly elected Mayor.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2825 - 16

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, 2016, 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.

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

AYE: Council Member Pampinto, Council Member Lockhart, Council Member Noles

NAYS: none

Not Voting: Council Member Willis

President Noles announced that the resolution had been approved.

President Noles announced that the next item of business was consideration of a resolution to declare Neal Willis as the duly elected Council Member Place #2.

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

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2826 - 16

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, 2016, 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 Pampinto seconded the motion and upon said motion being put to a vote the following vote was recorded:

AYE: Council Member Pampinto, Council Member Lockhart, Council Member Noles

NAYS: none

Not Voting: Council Member Willis

President Noles announced that the resolution had been approved.

President Noles announced that the next item of business was consideration of a resolution to declare Michael W. Lockhart as the duly elected Council Member Place #3.

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

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2827 - 16

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. 3 prior to the deadline and that the name of that person who filed such statement was Michael W. Lockhart.

NOW, THEREFORE, BE IT RESOLVED by the City of Muscle Shoals Council of the City of Muscle Shoals that Michael W. Lockhart be and he is hereby declared duly elected to the office of City Council - Place No. 3 of the City of Muscle Shoals, Alabama commencing on the first Monday in November, 2016, 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 Michael W. Lockhart for the office of City Council - Place No. 3 of the City of Muscle Shoals, Alabama for such term pursuant to the provisions of Section 11-46-25, as amended.

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

AYE: Council Member Pampinto, Council Member Lockhart, Council Member Noles

NAYS: none

Not Voting: Council Member Willis

President Noles announced that the resolution had been approved.

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

COUNCIL MEMBER - PLACE ONE

COUNCIL MEMBER - PLACE TWO

COUNCIL MEMBER - PLACE THREE

COUNCIL MEMBER - PLACE FOUR

COUNCIL MEMBER - PLACE FIVE

ATTEST:

CITY CLERK