

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
August 3, 2009**

The Council of Muscle Shoals, Alabama met at the City Hall in said City at 6:10 p.m. on the 3rd day of August 2009 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 Ricky Williams. On roll call the following members were found to be present or absent, as indicated:

PRESENT: JOE PAMPINTO, JERRY KNIGHT GRISSOM, NEAL WILLIS
 JAMES HOLLAND, ALLEN NOLES, DAVID H. BRADFORD
ABSENT: NONE

Richard Williams, City Clerk, 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 regular meeting and work session of July 20, 2009 and approved the minutes as written.

Mayor Bradford announced that the next item of business was consideration of a resolution to award a bid for the construction of the Brown Street Pumping Station.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2405 - 09

WHEREAS, the City of Muscle Shoals has duly advertised and received construction bids for EPA Project XP96485109, and

WHEREAS, bids were received and publicly opened at the City Hall on July 24, 2009 at 2:00 p.m., with the following tabulation:

| | <u>Base Bid</u> | <u>Add Alternate #1</u> |
|--------------------------|-----------------|-------------------------|
| B. H. Craig Construction | \$1,067,000.00 | \$30,300.00 |
| Patterson & Wilder | 1,119,449.00 | 34,500.00 |
| Johnson Contractors | 1,192,000.00 | 22,000.00 |
| Richland, LLC | 1,035,000.00 | 53,500.00 |

WHEREAS, it has been determined that Richland LLC, of Pulaski, Tennessee has submitted the lowest, responsible, responsive bid for this project, and

THEREFORE BE IT RESOLVED By the City Council of the City of Muscle Shoals, Alabama, that the City of Muscle Shoals does hereby award the bid to Richland LLC with a bid price of \$1,035,000.00 and an add alternate #1 of \$53,500.00, contingent upon final approval of the award by the U. S. Environmental Protection Agency, Region 4 office.

BE IT FURTHER RESOLVED by the City Council that Mayor David H. Bradford be authorized to sign contract documents with the above mentioned contractor for the completion of EPA Project XP96485109 upon receipt of EPA’s final approval.

Council Member Grissom 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.

Mayor Bradford announced that the next item of business was consideration of a resolution to appoint two members to the Civil Service Board.

Mayor Bradford called for a vote on the candidates for appointment and a roll call vote was had and the vote recorded as follows:

Council Member Pampinto: Raymond Eggleston and Tina Miller Parker
 Council Member Willis: Raymond Eggleston and Tina Miller Parker
 Council Member Grissom: Raymond Eggleston and Tina Miller Parker
 Council Member Holland: Raymond Eggleston and Tina Miller Parker
 Council Member Noles: Raymond Eggleston and Tina Miller Parker
 Mayor Bradford: Raymond Eggleston and Tina Miller Parker

Council Member Pampinto introduced the following resolution which was presented in the meeting and moved for its adoption:

STATE OF ALABAMA
 COLBERT COUNTY

RESOLUTION NUMBER 2406 - 09

WHEREAS, vacancies on the Civil Service Board of the City of Muscle Shoals have occurred and the City Council being desirous of making the necessary appointments to said board within the City;

WHEREAS, notice was given to the public of said pending vacancies 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 vacancies:

| | | |
|---------------------|--------------|--------------------|
| James Russell Allen | Larry Brock | Matthew Burcham |
| Raymond Eggleston | Tommy Oswalt | Tina Miller Parker |

WHEREAS, Raymond Eggleston and Tina Miller Parker were determined to have received the best overall rankings on the City Council evaluations, and

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

Council Member Pampinto: Raymond Eggleston and Tina Miller Parker
Council Member Willis: Raymond Eggleston and Tina Miller Parker
Council Member Grissom: Raymond Eggleston and Tina Miller Parker
Council Member Holland: Raymond Eggleston and Tina Miller Parker
Council Member Noles: Raymond Eggleston and Tina Miller Parker
Mayor Bradford: Raymond Eggleston and Tina Miller Parker

WHEREAS, Mayor Bradford announced that Raymond Eggleston and Tina Miller Parker 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 persons to serve a term effective until June 20, 2012.

| <u>APPOINTEE</u> | <u>BOARD</u> | <u>EXPIRATION OF TERM</u> |
|--------------------|---------------------|---------------------------|
| Raymond Eggleston | Civil Service Board | June 20, 2012 |
| Tina Miller Parker | Civil Service Board | June 20, 2012 |

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 Grissom 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.

Mayor Bradford announced that the next item of business was consideration of a resolution to appoint a member to the Utilities Board.

Mayor Bradford called for a vote on the candidates for appointment and a roll call vote was had and the vote recorded as follows:

Council Member Pampinto: Tyrus Mansell
Council Member Willis: Tyrus Mansell
Council Member Grissom: Tyrus Mansell
Council Member Holland: Tyrus Mansell
Council Member Noles: Tyrus Mansell
Mayor Bradford: Tyrus Mansell

Council Member Pampinto introduced the following resolution which was presented in the meeting and moved for its adoption:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2407 - 09

WHEREAS, a vacancy on the Muscle Shoals Utilities Board has occurred and the City Council being desirous of making the necessary appointment to said board;

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:

| | | |
|--------------------|----------------|-----------------|
| Jerry Freeman | Wayne Holt | Tyrus Mansell |
| Ronald Moss | William Osborn | Dennie Robinson |
| James Michael Self | | |

WHEREAS, Tyrus Mansell was determined to have received the best overall ranking on the City Council evaluations, and

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

Council Member Pampinto: Tyrus Mansell
Council Member Willis: Tyrus Mansell
Council Member Grissom: Tyrus Mansell
Council Member Holland: Tyrus Mansell
Council Member Noles: Tyrus Mansell
Mayor Bradford: Tyrus Mansell

WHEREAS, Mayor Bradford announced that Tyrus Mansell 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 as set forth herein:

| <u>APPOINTEE</u> | <u>BOARD</u> | <u>EXPIRATION OF TERM</u> |
|------------------|-----------------|---------------------------|
| Tyrus Mansell | Utilities Board | July 2015 |

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 Grissom 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 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