

**MINUTES FROM A WORK SESSION OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
APRIL 18, 2022**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 5:30 p.m. on the 18th day of April, 2022. The following members were found to be present or absent, as indicated:

PRESENT: CHRIS HALL, GINA CLARK, WILLIS THOMPSON,
KEN SOCKWELL, DAVID MOORE
ABSENT: NONE

Ken Sockwell, Council President, presided at the meeting. Mayor Mike Lockhart was also present. Elaine Coan, City Clerk, was present and kept the minutes of the meeting.

The City Council interviewed the following applicants for appointment to the Board of Education in the City Hall Conference Room:

Dr. Kyrel Buchanan, Daron Goodloe, Cory King, Demetra Meade

Upon completion of the interviews, the city council reconvened their work session in the auditorium at 6:00 p.m.

Donna Beck from One Place of the Shoals spoke with the council about the assistance they give to victims of crime, and she asked that the council consider appropriating money for One Place of the Shoals.

Reverend Charles Burgess and Reverend Larry Bonner spoke with the council and thanked them for their continuing support to the LM Alliance (Martin Luther King Scholarship & Drug Program). The Mayor presented their check for the appropriation for this year.

Mary Beth Cradvens, 1509 Fordsway Avenue spoke with the council about flooding issues in her neighborhood.

Chief Shawn Malone discussed with the council about hiring firefighters for the future fire station. He requested that we advertise for both certified and non certified firefighters as soon as possible to begin training.

Chief Clint Reck discussed with the council about the purchase of police vehicles to be included in the upcoming year's budget. The vehicles have to be ordered by May 19, 2022 to receive them in February or March of 2023.

Raymond Beaver, 902 Tennessee River Drive spoke with the council about his concerns of persons speeding in front of his house, and he also told the council that a memorial for veterans would be appreciated.

The council discussed agenda items.

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There being no further business the meeting was adjourned at 6:15 p.m.

CITY OF MUSCLE SHOALS, ALABAMA
A Municipal Corporation



COUNCIL MEMBER - PLACE ONE



COUNCIL MEMBER - PLACE TWO



COUNCIL MEMBER - PLACE THREE

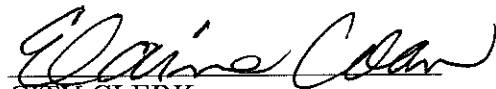


COUNCIL MEMBER - PLACE FOUR



COUNCIL MEMBER - PLACE FIVE

ATTEST:



CITY CLERK

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
April 18, 2022**

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 18th day of April, 2022 being the scheduled time and place for said meeting. The meeting was called to order by Ken Sockwell, Council President. On roll call the following members were found to be present or absent, as indicated:

PRESENT: CHRIS HALL, GINA CLARK, WILLIS THOMPSON,
KEN SOCKWELL, DAVID MOORE
ABSENT: NONE

Ken Sockwell, Council President, 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 Mike Lockhart was also present. Elaine Coan, City Clerk, was present and kept the minutes of the meeting.

The invocation was given by James Vance. Council President Ken Sockwell led in the pledge of allegiance.

Upon motion duly made by Council Member Thompson and seconded by Council Member Hall and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of April 4th, 2022, special work session of April 6th, 2022, and approved the minutes as written.

Mayor Lockhart had a proclamation for Child Abuse Prevention Month to be presented at a later time. Also, he spoke about the salary survey and that it would be ready to be discussed at a May meeting. He expressed his condolences to Phillip Letsinger and family upon the death of his wife and mother in law.

President Sockwell announced that the next item of business was consideration of a resolution to purchase bulk fertilizer for Cypress Lakes Golf Course. Council Member Thompson introduced the following resolution and moved for its adoption:

**STATE OF ALABAMA
COLBERT COUNTY**

RESOLUTION NUMBER 3199-22

WHEREAS, the City Council of the City of Muscle Shoals, Alabama approved the purchase of bulk fertilizer to be utilized at Cypress Lakes Golf and Tennis Facility; and

WHEREAS, that the Procurement Agent advised that the purchase must comply with the Alabama Competitive Bid Law requirements, and that a

cooperative contract approved by the State of Alabama is valid for such purchase; and

WHEREAS, the Procurement Agent further advised that the total purchase price for bulk fertilizer is \$20,906.00 to be purchased from Regal Chemical and further that Regal Chemical is awarded contractual vendor for said item with North Alabama Cooperative Purchasing Association (NACPA), an approved purchasing cooperative;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals that Regal Chemical, the contractual vendor of NACPA is awarded the purchase of bulk fertilizer for the total purchase price of \$20,906.00.

Council Member Moore seconded the motion and upon motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the resolution had been approved.

President Sockwell announced that the next time of business was consideration of a resolution to purchase a Club Car Carryall for Cypress Lakes Golf Course. Council Member Clark introduced the following resolution and moved for its adoption:

**STATE OF ALABAMA
COLBERT COUNTY**

RESOLUTION NUMBER 3200-22

WHEREAS, the City Council of the City of Muscle Shoals, Alabama approved the purchase of a Club Car Carryall 500 series for Cypress Lakes Golf and Tennis Facility; and

WHEREAS, the Procurement Agent advised that the amount of said purchase must comply with the Alabama Competitive Bid Law and further that a purchasing cooperative contract eliminating the need for further formal, sealed bidding process has been approved by the State of Alabama and is valid for such purchase; and

WHEREAS, the Procurement Agent further advised that the purchase price for a Club Car Carryall 500 series is \$12,055.97 to be purchased from Jerry Pate Turf & Irrigation, and further that Jerry Pate Turf & Irrigation is the provider for Club Car, LLC for said item with OMNIA Partners, Public Sector, a State of Alabama approved purchasing cooperative;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals that Jerry Pate Turf & Irrigation, the provider for Club Car, LLC with OMNIA Partners Public Sector is now hereby awarded the

purchase of a Club Car Carryall 500 Series for the total purchase price of \$12,055.97.

Council Member Hall seconded the motion and upon motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the resolution had been approved.

President Sockwell announced that the next item of business was consideration of a resolution to appoint a member to the Muscle Shoals Board of Education.

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

**STATE OF ALABAMA
COLBERT COUNTY**

RESOLUTION NUMBER 3201-22

WHEREAS, a term on the Muscle Shoals Board of Education has expired 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:

Dr. Kyrel Buchanan	Cory King
Daron Goodloe	Demetra Meade

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

Council Member Hall:	Cory King
Council Member Clark:	Cory King
Council Member Sockwell:	Cory King
Council Member Thompson:	Cory King
Council Member Moore:	Cory King

WHEREAS, Council President Sockwell announced that Cory King had received a majority of the votes cast,

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>
Cory King	Board of Education	June 2027

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 Moore seconded the motion and upon said motion being put to a vote, all voted "AYES" and the "NAYS" were none.

President Sockwell announced that the resolution had been approved.

President Sockwell announced that the next item of business was consideration of a resolution to amend Resolution 3193-22, which would approve a revised application for membership in the Greater Shoals Broadband Cooperative. Council Member Moore introduced the following resolution and moved for its adoption:

RESOLUTION NUMBER 3202-22

WHEREAS, the City Council of Muscle Shoals, Alabama undersigned, being all of the members of the Muscle Shoals City Council (the "Governing Body") of the City of Muscle Shoals, Alabama (the "Public Entity"), acting subject to and in accordance with the relevant provisions of the Code of Alabama 1975 (as the same may be amended or supplemented from time to time, the "Act"), do hereby consent to the adoption of the following resolution:

WHEREAS, on or around April 13, 2022, three (3) natural persons being Macke Mauldin, Jim Blasingame, and Michael Shipper (such persons collectively, the "Applicants") filed with the Governing Body an application made under and in accordance with provisions of Chapter 99B of Title 11 of the Act (the "Application"), a copy of which Application is attached hereto as Exhibit A;

WHEREAS, as further set forth in the Application, the Applicants have proposed and requested, among other things, that (a) a public corporation by the name of the "Greater Shoals Broadband Cooperative District" be incorporated pursuant to and in accordance with the relevant provisions of Chapter 99B of Title 11 of the Act to serve as a "capital improvement cooperative district" within the meaning of the Act (the "District"), (b) the Public Entity become and be a member of the District, and (c) that the Public Entity adopt and approve these resolutions for purposes of, among other things, approving and authorizing the matters referenced in this paragraph;

WHEREAS, as further set forth in the Application, each Applicant has certified that he or she is a duly qualified elector of one of the counties with the governing body of which this application is being filed;

WHEREAS, upon receipt and consideration of the Application and related information and evidence, the Governing Body has determined that the Application satisfies the applicable requirements of Chapter 99B of Title 11 of the Act; and

WHEREAS, upon receipt and consideration of the Application and related information and evidence, the Governing Body has determined it to be wise, expedient, and necessary, and in the best interest of the Public Entity and its citizens and users, that the proposed District be formed and that the Applicants proceed to form the proposed District by the filing for record of a certificate of incorporation in accordance with the provisions of Section 11-99B-4 of the Act.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body has determined it to be wise, expedient, and necessary that the proposed District be formed, and the Applicants are hereby authorized to proceed to form the proposed District by the filing for record of a certificate of incorporation in accordance with the provisions of Section 11-99B-4 of the Act; and

FURTHER RESOLVED, that upon formation of the proposed District, the Public Entity will be a member of such District and, in its capacity as a member thereof, the Public Entity is hereby authorized and directed to perform and carry out its rights and obligations in connection therewith.

EXHIBIT 1

**APPLICATION TO BECOME A JURISDICTIONAL MEMBER OF THE
GREATER SHOALS BROADBAND COOPERATIVE DISTRICT
APRIL 13, 2022**

The undersigned applicants (the "Applicants") do hereby apply to the City Council of the City of Muscle Shoals, Alabama for authority to incorporate and organize a public corporation as a capital improvement cooperative district (the "District") under and in accordance with the provisions of the statutes codified as Chapter 99B of Title 11 of the Code of Alabama 1975 (as heretofore or hereafter amended or supplemented, the "Act"). In furtherance of the foregoing, the Applicants do hereby state the following:

- I. The proposed name of the District shall be the Greater Shoals Broadband Cooperative District.
2. The District proposes the development, construction, deployment, management, governance, operations of a broadband infrastructure project (and/or a series of related projects) to improve broadband connectivity and facilitate expanded availability of Internet speed, capacity and services to all citizens, businesses and institutions within and contiguous to the two- county Metropolitan Statistical Area comprising Lauderdale and Colbert counties (the "MSA").
3. The general areas in which the District proposes to acquire or construct such project(s) are located throughout the MSA.
4. The eight (8) proposed members of the District (the "Members") are as follows: the County of Lauderdale, the City of Florence, The University of North Alabama, the County of Colbert, the City of Sheffield, the City of Muscle Shoals, the City of Tuscumbia, and the Muscle Shoals Electric Board.
5. The District shall be governed by a board of directors ("Board"), which Board shall be comprised of twenty-one (21) individuals (the "Directors").
6. The Directors shall be appointed by the Members as follows: (a) five (5) Directors shall be appointed by the County of Lauderdale, (b) four (4) Directors shall be appointed by the City of Florence; (c) one (1) Director shall be appointed by The University of North Alabama; (d) three (3) Directors shall be appointed by the County of Colbert; (e) three (3) Directors shall be appointed by the City of Sheffield; (f) one (1) Director shall be appointed by the City of Muscle Shoals; (g) two (2) Directors shall be appointed by the City of Tuscumbia; (h) one (1) Director shall be appointed by Muscle Shoals Electric Board; (i) and one (1) Director shall be appointed at-large by majority vote of the other Directors. Each Director shall have one (1) vote each matter to be decided by the Board.
7. Any Director who resigns, is removed, or otherwise ceases to be a Director for any reason, as the case may be, shall be deemed to have resigned and created a vacancy on the Board, and such vacancy shall be filled by the Member who appointed the Director that held such position prior to such vacancy.

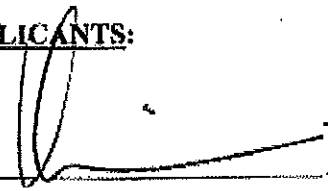
8. The proposed location of the principal office of the District shall be 91 Harcourt Morgan Way, Sheffield, AL 35660.
9. Each Applicant is a duly qualified elector of one of the counties with the governing body of which this application is being filed.
10. Pursuant to Section 11-99B-5 of the Act, the certificate of incorporation of the District, once filed, may only be amended after obtaining the written consent of the governing body of each authorizing subdivision of the District.
11. The Applicants do hereby request that the Members each adopt a resolution declaring that it is wise, expedient and necessary that the proposed District be formed and authorizing the Applicants to proceed to form the proposed District by the filing for record the certificate of incorporation in accordance with the provisions of Section 11-99B-4 of the Act.

This instrument may be executed in one or more counterparts, each of which, when so executed, shall be deemed to be an original, and such counterparts shall, together, constitute and be one and the same instrument. A signed copy of this instrument delivered by facsimile, e-mail or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Instrument.

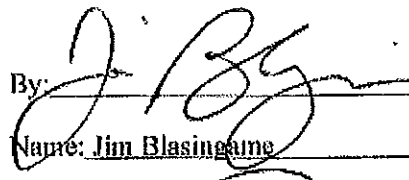
[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the undersigned Applicants have caused this Application to be duly submitted effective as of the date set forth above.

APPLICANTS:

By:  _____

Name: Macke Mauldin

By:  _____

Name: Jim Blasingame

By:  _____

Name: Michael Shipper

Council Member Thompson seconded the motion and upon said motion being put to a vote, all voted "AYES" and the "NAYS" were none.

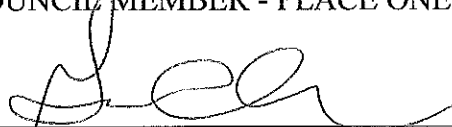
President Sockwell announced that the resolution had been approved.

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



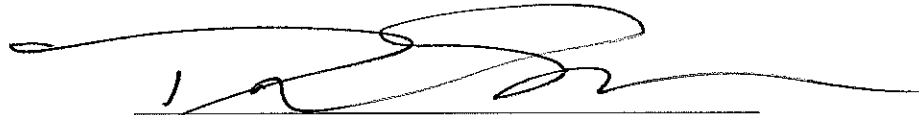
COUNCIL MEMBER - PLACE TWO



COUNCIL MEMBER - PLACE THREE




COUNCIL MEMBER - PLACE FOUR



COUNCIL MEMBER - PLACE FIVE

ATTEST:


CITY CLERK