

**MINUTES FROM A WORK SESSION OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
AUGUST 22, 2022**

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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 22<sup>nd</sup> day of August, 2022. The following members were found to be present or absent, as indicated:

PRESENT: CHRIS HALL, WILLIS THOMPSON,  
KEN SOCKWELL, DAVID MOORE  
ABSENT: GINA CLARK

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.

Ed Hester, Architect, provided a preliminary sketch of the proposed pavilion at the library for the council to review. Also, Denita Lester and Library Board Member, Joni Willingham were present. Ed will have his drawing completed soon for the contractor to review, and give an estimate.

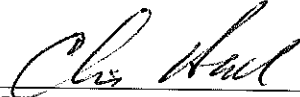
The council discussed possible changes to the Public Works Laborer job description. The job description now states that a CDL is required for employment, and the council decided to take that requirement out of the job description.

The council discussed the Assistant Fire Chief job description which was not approved along with the other revised descriptions that Auburn University prepared for us. The council did not make any changes.

The council reviewed agenda items.

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



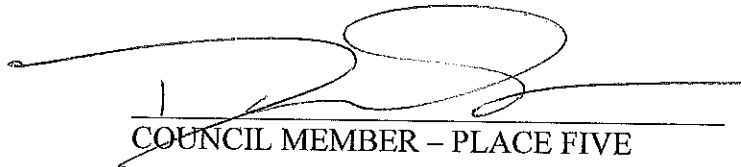
COUNCIL MEMBER - PLACE TWO



COUNCIL MEMBER - PLACE THREE



COUNCIL MEMBER - PLACE FOUR



COUNCIL MEMBER - PLACE FIVE

ATTEST:

  
ELAINE COAN, CITY CLERK

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
AUGUST 22, 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 22<sup>nd</sup> day of August, 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, WILLIS THOMPSON,  
KEN SOCKWELL, DAVID MOORE  
ABSENT: GINA CLARK

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 Clint Reck. President Ken Sockwell led in the pledge of allegiance.

Upon motion duly made by Council Member Thompson and seconded by Council Member Moore and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of August 22<sup>nd</sup>, 2022 and approved the minutes as written.

President Sockwell announced that the next item of business was consideration of a job description for position of Assistant Fire Chief which had not been approved with other job descriptions that Auburn University had revised. Council Member Hall moved that the job description be approved as presented. Council Member Thompson seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the job description had been approved.

President Sockwell announced that the next item of business was consideration of a job description for position of Laborer in the Public Works Department which was revised to not require a CDL as part of the qualifications. Council Member Thompson moved that the job description be approved as

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

President Sockwell announced that the next item of business was consideration of a resolution to approve the sale of a 2011 Ford Crown Victoria to Brighton, Alabama. Council Member Moore introduced the following resolution and moved for its adoption:

**STATE OF ALABAMA**

**COLBERT COUNTY**

**RESOLUTION NUMBER 3221-22**

**WHEREAS**, the City Council has been informed by the Chief of Police that the hereinafter described vehicle previously used in the performance of duties at the Muscle Shoals Police Department is no longer required for use by City personnel; and

2011 Ford Crown Victoria VIN# 2FABP7BV7BX155595  
previously used in the performance of duties at the Muscle Shoals Police Department is no longer required for use by City personnel; and

**WHEREAS**, the City Council has determined that the said vehicle is surplus property, and the department has no further use for said vehicle and the equipment described in the letter of the Chief to the Council Members dated August 19, 2022, thereon due to age and condition and it is not economical for the City to retool or refit the said equipment in order that it be able to be placed in service in the Police Department; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Muscle Shoals, Alabama that the following described certain vehicles and equipment related thereto be declared surplus property and be disposed of by the Police Department of the city in a manner that will require no further expenditure by the City nor expose the City to any liability in the further use of or operation of same and the Council does hereby authorize the Police Chief or his designee to dispose of said equipment as surplus property and the Council so finds that the following equipment is surplus property:

**BE IT FURTHER RESOLVED** that the Chief of Police or the City Clerk is authorized to take the steps necessary to convey the above described surplus property, namely the

2011 Ford Crown Victoria VIN# 2FABP7BV7BX155595

And the equipment described in the letter of the Chief to the Council Members dated August 19, 2022 to the City of Brighton, Alabama for the sum of \$500.00 and in a manner consistent with the terms and conditions and pursuant to this Resolution;

**BE IT FURTHER RESOLVED** that in consideration of the conveyance to and acceptance of said surplus property, the City of Brighton, Alabama shall release the City of Muscle Shoals, Alabama from all liability, damage, claim, loss or expense, in the operation of said vehicle and equipment herein described.

**BE IT FURTHER RESOLVED** that the title to the vehicles and related equipment shall be delivered to the City of Brighton, Alabama in exchange for the sum of \$500.00 and that all expenses of the transfer shall be borne by the City of Brighton, Alabama.

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

President Sockwell announced that the resolution had been approved.

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President Sockwell made the announcement that the next item of business was consideration of a resolution to approve the bid for clearing and grubbing of land on Avalon Avenue. Councilman Hall introduced the following resolution and moved for its adoption:

**STATE OF ALABAMA  
COLBERT COUNTY**

**RESOLUTION NUMBER 3222-22**

**WHEREAS**, the Procurement Agent did send out advertisements for bids for the purchase of Clearing & Grubbing of Avalon Avenue Property, the bid opening being held August 18, 2022 at the City Hall of the City of Muscle Shoals, Alabama; and

**WHEREAS**, at the appointed time and place, as specified above, the following bids were opened and tabulated as follows; and

| <u>BIDDER:</u>                | <u>BID PRICE:</u> |
|-------------------------------|-------------------|
| Affordable Tree Service, Inc. | \$54,900.00       |
| A&M Grading LLC               | \$86,000.00       |

|                        |             |
|------------------------|-------------|
| Tree Professional Inc. | \$39,500.00 |
| Eady Contracting, Inc. | \$69,900.00 |

**WHEREAS**, the apparent lowest, responsive and responsible bidder after evaluation of the submitted bid(s), has been determined as Tree Professional Inc. with a total bid price of \$39,500.00 for the purchase of Clearing & Grubbing of Avalon Avenue Property; now

**THEREFORE, BE IT RESOLVED** by the City Council of the City of Muscle Shoals that the apparent lowest, responsive and responsible bidder, Tree Professional Inc. is now awarded the bid for the purchase Clearing & Grubbing of Avalon Avenue Property for the total purchase price of \$39,500.00.

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

President Sockwell announced that the resolution had been approved.

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President Sockwell announced that the next item of business was a public hearing to consider the issuance of a lounge retail liquor license to Tonic, LLC, 2306 Woodward Avenue, and the issuance of a special retail liquor license to Carmaral, LLC, 2308 Woodward Avenue.

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

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

There being no one wishing to speak, President Sockwell stated that the approval of the lounge retail liquor license and the approval of a special retail liquor license was before the council. All those in favor of the applications 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 was recorded as follows:

AYES: Council Member Hall, Council Member Sockwell, Council Member Thompson, Council Member Moore

NAYS: None

President Sockwell announced that the licenses had been approved.

President Sockwell announced that the next item of business was a public hearing to consider the adoption of an ordinance to amend the Zoning Ordinance and Zoning Map of the City of Muscle Shoals, Alabama as follows:

**ORDINANCE 1548-22**  
**AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND ZONING MAP OF**  
**THE CITY OF MUSCLE SHOALS ALABAMA**

Be it ordained by the Council of the City of Muscle Shoals, Alabama, that the Zoning Ordinance and Zoning Map of the City of Muscle Shoals, are hereby amended as follows:

That the following described area which is currently zoned R-3 and is hereby incorporated in and made a part of the B-2 District, to wit:

Amending the ordinance to rezone property located on West Eason Avenue, one parcel west of Woodward Avenue, Parcel 07-07-35-2-012-007.000 Lots 278 thru 280 Highland Park #1 DB 2008 PG 171 and DB 2008 PG 8725 (Colbert County Parcel Viewer).

The Council finds that legal notice of the proposed amendment to the Zoning Ordinance of the City of Muscle Shoals, Alabama, was published by posting the same in four (4) conspicuous places in the City of Muscle Shoals, Alabama, 15 days prior to the date hereof, there being no newspaper published in the City of Muscle Shoals, and said notice set for public hearing on the 22<sup>nd</sup> day of September, 2022 at 6:00 o'clock p.m. in the Chambers of the Council of the City of Muscle Shoals located in the City Hall, Muscle Shoals, Alabama, for all persons to appear to be heard either for or against the adoption of said amendment; and

WHEREAS, said public hearing was held and President Sockwell announced that now was the proper time for persons in favor and those in opposition to the ordinance to be recognized.

There being no one wishing to speak, President Sockwell stated that approval of the ordinance 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 Hall, Council Member Sockwell, Council Member Thompson,  
Council Member Moore

NAYS: None

President Sockwell announced that the ordinance had been approved.

President Sockwell announced that the next item of business was a public hearing to consider the adoption of an ordinance to amend the Zoning Ordinance and Zoning Map of the City of Muscle Shoals, Alabama as follows:

**ORDINANCE 1549-22**  
**AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND ZONING MAP OF**  
**THE CITY OF MUSCLE SHOALS ALABAMA**

Be it ordained by the Council of the City of Muscle Shoals, Alabama, that the Zoning Ordinance and the Zoning Map of the City of Muscle Shoals, are hereby amended as follows:

That the following described area which is currently zoned M-1 and is hereby incorporated in and made a part of the B-2 and R-3 District, to wit:

Amending the ordinance to rezone property adjacent to Second Street from Union Avenue to the Muscle Shoals City Limits from M-1 to B-2 and R-3.

The Council finds that legal notice of the proposed amendment to the Zoning Ordinance of the City of Muscle Shoals, Alabama, was published by posting the same in four (4) conspicuous places in the City of Muscle Shoals, Alabama, 15 days prior to the date hereof, there being no newspaper published in the City of Muscle Shoals, and said notice set for public hearing on the 22<sup>nd</sup> day of September, 2022 at 6:00 o'clock p.m. in the Chambers of the Council of the City of Muscle Shoals located in the City Hall, Muscle Shoals, Alabama, for all persons to appear to be heard either for or against the adoption of said amendment; and

WHEREAS, said public hearing was held and President Sockwell announced that now was the proper time for persons in favor and those in opposition to the ordinance to be recognized.

Larry Creasy, East Sixth Street, Muscle Shoals, AL spoke in favor of the rezoning of the property adjacent to Second Street from Union Avenue to the Muscle Shoals City Limits.

President Sockwell stated that approval of the ordinance 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 Hall, Council Member Sockwell, Council Member Thompson,  
Council Member Moore

NAYS: None

President Sockwell announced that the ordinance had been approved.

President Sockwell announced that the next item of business was to set a public hearing to consider the issuance of a retail beer license (Off Premises Only) to Easy Stop LLC. 2600 Woodward Avenue. President Sockwell announced that the hearing is set for Monday, September 19, 2022.



President Sockwell made the announcement that the next item of business was consideration of a resolution to approve the GMC Agreement pertaining to the Comprehensive Plan for the City. Councilman Moore introduced the following resolution and moved for its adoption:

**STATE OF ALABAMA**

**COLBERT COUNTY**

**RESOLUTION NUMBER 3223-22**

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama has received an instrument styled PROFESSIONAL SERVICES AGREEMENT (PSA) between the City of Muscle Shoals and Goodwyn Mills Cawood, LLC (hereafter referred to as (GMC) pertaining to the Long Range Comprehensive Plan for the City of Muscle Shoals; and

**WHEREAS**, the PSA provides for compensation to be paid for the services to be rendered as follows: Planning Services \$175,000.00 Lump Sum and Additional Services \$15,000.00 (Hourly not to exceed) and furthermore the City Council agrees to the terms of the PSA; and

**WHEREAS**, the City Council has reviewed the contents of the instrument and finds that said instrument is in due form and proper order and upon consideration of same determines that it is wise and expedient that the City execute and deliver said instrument to GMC; and

**BE IT HEREBY RESOLVED**, that the City Council of the City of Muscle Shoals, Alabama, does hereby authorize and direct the Mayor of the City, Michael Lockhart, for and on behalf of the City to execute the instrument styled PROFESSIONAL SERVICES AGREEMENT with the GMC for and related to the compensation to be paid for professional services rendered.

**BE IT FURTHER RESOLVED** that the Mayor of the City, Michael Lockhart, be, and hereby is, authorized to execute and deliver any instruments and related documents in connection with the matters and issues presented in the above described instrument.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be prepared forthwith by the Clerk and delivered unto the Goodwyn Mill Cawood, LLC along with the executed instrument styled PROFESSIONAL SERVICES AGREEMENT described herein and furthermore shall retain a copy to be kept on file by the said Clerk.

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

President Sockwell announced that the resolution had been approved.

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President Sockwell made the announcement that the next item of business was consideration of a resolution to approve an agreement with Alabama Department of Transportation.

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

**STATE OF ALABAMA  
COLBERT COUNTY**

**RESOLUTION NUMBER 3224-22**

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama has entered into an agreement with the Alabama Department of Transportation Director for the cooperative maintenance of public right-of-way within the city limits of Muscle Shoals. The City of Muscle Shoals will provide maintenance of an eight feet wide by five feet high box culvert beneath SR 2 (Woodward Avenue) at Buena Vista Avenue (Milepost 28.680) and the same is hereby approved, ratified, and confirmed.

**BE IT THEREFORE RESOLVED**, that the Mayor be approved to sign this agreement in the name of and on behalf of said to City of Muscle Shoals.

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

President Sockwell announced that now was the time for the Council, Mayor and City Attorney enter into executive session. President Sockwell made the motion to enter into executive session. Council Member Hall seconded the motion. Upon said motion

being put to a vote, a roll call was had and the vote was recorded as follows:

AYES: Council Member Hall, Council Member Sockwell, Council Member Thompson,  
Council Member Moore

NAYS: None

Council Member Moore made the motion to dismiss from executive session. Upon said motion being put to a vote, a roll call was had and the vote was recorded as follows


AYES: Council Member Hall, Council Member Sockwell, Council Member Thompson,  
Council Member Moore


NAYS: None

There being no further business to come before the regular meeting, upon the motion duly made and seconded the meeting was adjourned.

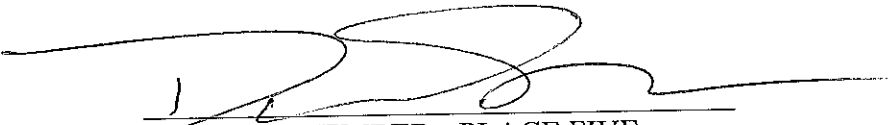
CITY OF MUSCLE SHOALS  
A Municipal Corporation

  
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COUNCIL MEMBER - PLACE ONE

  
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COUNCIL MEMBER - PLACE TWO

  
\_\_\_\_\_  
COUNCIL MEMBER - PLACE THREE

  
\_\_\_\_\_  
COUNCIL MEMBER - PLACE FOUR

  
\_\_\_\_\_  
COUNCIL MEMBER - PLACE FIVE

ATTEST:

  
CITY CLERK

