

**MINUTES FROM A WORK SESSION OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
December 6, 2021**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium of said City at 5:30 p.m. on the 6th day of November, 2021. 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. Ricky Williams, City Clerk was present and kept the minutes of the meeting.

Mr. Raymond Beaver appeared before the Council to discuss traffic speeding along Tennessee River Drive.

Dr. Chad Holden Superintendent of Muscle Shoals City Schools and Dr. Denise Woods Assistant Superintendent of City Schools gave their annual update on school operations to the City Council.

City Engineer Brad Williams gave a brief report on current and planned infrastructure projects in the City.

The Council reviewed agenda items.

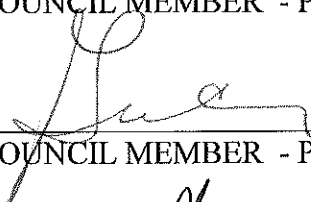
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There being no further business the meeting was adjourned at 6:20 p.m.

CITY OF MUSCLE SHOALS, ALABAMA
a Municipal Corporation



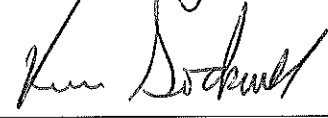
COUNCIL MEMBER - PLACE ONE



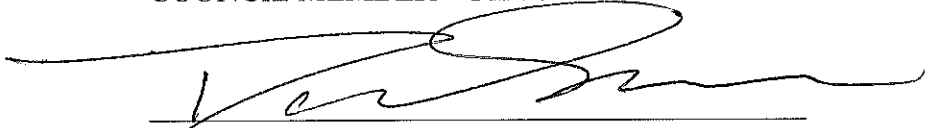
COUNCIL MEMBER - PLACE TWO



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
December 6, 2021**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:20 p.m. on the 6th day of December, 2021 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. Ricky Williams, City Clerk, was present and kept the minutes of the meeting.

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

Upon motion duly made by Council Member Clark and seconded by Council Member Thompson and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of November 15, 2021 and the November 22, 2021 Continued meeting and approved the minutes as written.

President Sockwell announced that the next item of business was consideration of a revised job description and pay rate for the position of Human Resources Director. Council Member Thompson moved that the job description and pay rate of \$26.99/hour be approved as presented. Council Member Clark 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 and pay rate had been approved.

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President Sockwell announced that the next item of business was the vacation of a portion of Puritan Avenue and Foxbrier Street subject to the reservation of a permanent easement over, across and through the herein described property by the City of Muscle Shoals, Alabama for the installation, maintenance and repairs of any utilities now existing and installed.

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

STATE OF ALABAMA
COLBERT COUNTY

PETITION TO VACATE

Come now the undersigned, Wayne A. Holt, John R. Holt, and Marvin E. Holt, hereinafter referred to as Petitioners, and present unto the City Council of the City of Muscle Shoals, Alabama, as follows: That Petitioners are all of the owners of all of the property abutting upon the following described portions of Puritan Avenue and Foxbrier Street, more particularly described below, and that they petition the City of Muscle Shoals to vacate said right-of-way, lying and being situated in the City of Muscle Shoals, Colbert County, Alabama, and more particularly described as follows, to wit:

A tract or parcel of land lying in the West 1/2 of the Northeast 1/4 of Section 34, Township 3 South, Range 11 West, in the City of Muscle Shoals, Colbert County, Alabama, and being more fully described as follows: Commence at the Northwest corner of Lot Numbered 1 in Fox Trace (Map Cabinet C, Slide 137); run thence North 89 Degrees 04 Minutes 08 Seconds West along the North line of the Storm Water Detention Lot in said subdivision for 272.54 Feet the Easterly margin of Foxbrier Street (as it now exists before vacation) and the point of beginning of the herein described tract; continue North 89 Degrees 04 Minutes 08 Seconds West for 5.98 Feet to a 1/2" capped re-bar set on the New Easterly margin of Foxbrier Street (after right-of-way vacation); run thence North 00 Degrees 04 Minutes 59 Seconds East along said New Easterly margin for 72.40 Feet to a 1/2" capped re-bar set at the P.C. of a curve to the left, having a fixed radius of 350 Feet; run thence along said New Easterly margin and curve for 35.28 Feet (chord North 02 Degrees 48 Minutes 17 Seconds West - 35.27 Feet) to a 1/2" capped re-bar set at the P.T. of said curve; run thence North 05 Degrees 41 Minutes 34 Seconds West along said New Easterly margin for 100.86 Feet to a "X" chiseled in a concrete catch basin/junction box at the P.C. of a curve to the right, having a fixed radius of 300 Feet; run thence along said New Easterly margin and curve for 30.28 Feet (chord North 02 Degrees 48 Minutes 06 Seconds West - 30.26 Feet) to a 1/2" capped re-bar set at the P.T. of said curve; run thence North 00 Degrees 05 Minutes 23 Seconds East along said New Easterly margin for 4.68 Feet to a 1/2" capped re-bar set at the P.C. of a curve to the right, having a fixed radius of 18.32 Feet; run thence along said New Easterly margin and curve for 29.73 Feet (chord North 46 Degrees 34 Minutes 39 Seconds East - 26.57 Feet) to a 1/2" capped re-bar set at the P.T. of said curve and on the New Southerly margin of Puritan Avenue (after right-of-way vacation) ; run thence South 86 Degrees 55 Minutes 45 Seconds East along said New Southerly margin for 99.55 Feet to a 1/2" capped re-bar set; run thence

Minutes 34 Seconds West leaving the New Southerly margin of Puritan Avenue for 32.35 Feet to a 1/2" capped re-bar set on the Southerly margin of Puritan Avenue (as it now exists before vacation); run thence North 89 Degrees 56 Minutes 55 Seconds West along the Southerly margin of Puritan Avenue (as it now exists before vacation) for 99.44 Feet to an existing 1/2" re-bar in concrete filled paint bucket on the Easterly margin of Foxbrier Street (as it now exists before vacation); run thence South 00 Degrees 02 Minutes 34 Seconds West along the Easterly margin of Foxbrier Street (as it now exists before vacation) for 223.67 Feet to the point of beginning.

That the undersigned Petitioners petition the City of Muscle Shoals to vacate the above-described property.

NOW, THEREFORE, in consideration of the premises, Petitioners hereby petition that the City Council of the City of Muscle Shoals, assent to, approve, ratify and confirm the vacation of the above-described right-of-way bordering Puritan Avenue and Foxbrier Street, subject to the reservation of a permanent easement over, across and through the herein described property by the City of Muscle Shoals, Alabama for the installation, maintenance and repairs of any utilities now existing and installed hereafter. The undersigned Petitioners further request that the City Council of the City of Muscle Shoals authorize and direct Mr. Mike Lockhart, as Mayor of the City of Muscle Shoals, to execute a quitclaim deed to Wayne A. Holt, John R. Holt, and Marvin E. Holt, by which deed the City of Muscle Shoals, Alabama, shall remise, release and quit-claim unto Wayne A. Holt, John R. Holt, and Marvin E. Holt, whatever right, title, and interest the said City of Muscle Shoals, may have acquired in and to the hereinabove described right-of-way, subject to the aforementioned utility easement, and that the City Clerk, be authorized and directed on behalf of the City Muscle Shoals, Alabama, to attest the same.

IN WITNESS WHEREOF, Petitioners have hereunto set their hands and affixed their seals on this the 23rd day of November, 2021.

s/ Wayne A. Holt

WAYNE A. HOLT

s/ John
R. Holt

JOHN R. HOLT

s/ Marvin E. Holt

MARVIN E. HOLT

STATE OF ALABAMA
COLBERT COUNTY

I, undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Wayne A. Holt, who is known to me, and whose name is signed to the foregoing Petition, acknowledged before me on this day that, being informed of the contents of the Petition, he executed the same voluntarily.

Given under my hand and official seal this the 23rd day of November, 2021.

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s/ Gregory Spry
Notary Public
My commission expires: 6/19/2024

STATE OF ALABAMA
COLBERT COUNTY

I, undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Marvin E. Holt, who is known to me, and whose name is signed to the foregoing Petition, acknowledged before me on this day that, being informed of the contents of the Petition, he executed the same voluntarily.

Given under my hand and official seal this the 23rd day of November, 2021.

s/ Gregory Spry
Notary Public
My commission expires: 6/19/2024

STATE OF TENNESSEE
KNOX COUNTY

I, undersigned authority, a Notary Public in and for said County, in said State, hereby certify that John R. Holt, who is known to me, and whose name is signed to the foregoing Petition, acknowledged before me on this day that, being informed of the contents of the Petition, he executed the same voluntarily.

Given under my hand and official seal this the 22nd day of November, 2021.

s/ Chesney Lowery
Notary Public
My commission expires: 2/4/2024

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3177 - 21

WHEREAS, Wayne A. Holt, John R. Holt, and Marvin E. Holt, have presented to the City Council of the City of Muscle Shoals, Alabama, their statement in writing, duly executed and acknowledged, setting forth that the owners of all of the lands abutting upon the hereinafter described right-of-way bordering Puritan Avenue and Foxbrier Street and petition the City of Muscle Shoals to vacate said right-of-way.

WHEREAS, the City Council of the City of Muscle Shoals, Alabama, does assent to, and approve the vacation thereof.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Muscle Shoals, Alabama, that subject to the reservation of a permanent easement over, across and through the herein described property by the City of Muscle Shoals, Alabama for the installation, maintenance and repairs of any utilities now existing and installed hereafter, the petition of the forenamed parties for the City of Muscle Shoals to vacate and annul the following described

right-of-way bordering Puritan Avenue and Foxbrier Street in the City of Muscle Shoals, Alabama, to wit:

A tract or parcel of land lying in the West 1/2 of the Northeast 1/4 of Section 34, Township 3 South, Range 11 West, in the City of Muscle Shoals, Colbert County, Alabama, and being more fully described as follows: Commence at the Northwest corner of Lot Numbered 1 in Fox Trace (Map Cabinet C, Slide 137); run thence North 89 Degrees 04 Minutes 08 Seconds West along the North line of the Storm Water Detention Lot in said subdivision for 272.54 Feet the Easterly margin of Foxbrier Street (as it now exists before vacation) and the point of beginning of the herein described tract; continue North 89 Degrees 04 Minutes 08 Seconds West for 5.98 Feet to a 1/2" capped re-bar set on the New Easterly margin of Foxbrier Street (after right-of-way vacation); run thence North 00 Degrees 04 Minutes 59 Seconds East along said New Easterly margin for 72.40 Feet to a 1/2" capped re-bar set at the P.C. of a curve to the left, having a fixed radius of 350 Feet; run thence along said New Easterly margin and curve for 35.28 Feet (chord North 02 Degrees 48 Minutes 17 Seconds West - 35.27 Feet) to a 1/2" capped re-bar set at the P.T. of said curve; run thence North 05 Degrees 41 Minutes 34 Seconds West along said New Easterly margin for 100.86 Feet to a "X" chiseled in a concrete catch basin/junction box at the P.C. of a curve to the right, having a fixed radius of 300 Feet; run thence along said New Easterly margin and curve for 30.28 Feet (chord North 02 Degrees 48 Minutes 06 Seconds West - 30.26 Feet) to a 1/2" capped re-bar set at the P.T. of said curve; run thence North 00 Degrees 05 Minutes 23 Seconds East along said New Easterly margin for 4.68 Feet to a 1/2" capped re-bar set at the P.C. of a curve to the right, having a fixed radius of 18.32 Feet; run thence along said New Easterly margin and curve for 29.73 Feet (chord North 46 Degrees 34 Minutes 39 Seconds East - 26.57 Feet) to a 1/2" capped re-bar set at the P.T. of said curve and on the New Southerly margin of Puritan Avenue (after right-of-way vacation) ; run thence South 86 Degrees 55 Minutes 45 Seconds East along said New Southerly margin for 99.55 Feet to a 1/2" capped re-bar set; run thence South 00 Degrees 02 Minutes 34 Seconds West leaving the New Southerly margin of Puritan Avenue for 32.35 Feet to a 1/2" capped re-bar set on the Southerly margin of Puritan Avenue (as it now exists before vacation); run thence North 89 Degrees 56 Minutes 55 Seconds West along the Southerly margin of Puritan Avenue (as it now exists before vacation) for 99.44 Feet to an existing 1/2" re-bar in concrete filled paint bucket on the Easterly margin of Foxbrier Street (as it now exists before vacation); run thence South 00 Degrees 02 Minutes 34 Seconds West along the Easterly margin of Foxbrier Street (as it now exists before vacation) for 223.67 Feet to the point of beginning.

Be and the same is hereby ratified, approved, confirmed, and assented to by the City Council of the City of Muscle Shoals, Alabama.

BE IT FURTHER RESOLVED, that the City of Muscle Shoals, Alabama, a municipal corporation remise, release and quitclaim to the aforesaid parties, whatever right, title, and interest the said City of Muscle Shoals, Alabama, a municipal corporation, may have acquired in and to

the hereinabove described part or portion of the hereinabove named right-of-way, and that Mr. Mike Lockhart, Mayor of the City of Muscle Shoals, a municipal corporation, execute a quitclaim deed to the forenamed parties carrying out the intention of this paragraph and that Richard L. Williams, City Clerk, be and he is hereby authorized and directed on behalf of the City of Muscle Shoals, Alabama, a municipal corporation, to attest the same.

Council Member Clark seconded the motion and upon said motion being put to a vote, a roll call was had and the vote recorded as follows:

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

NAYS: None


President Sockwell announced that the resolution had been approved.

There being no further business to come before the meeting, a motion was made to adjourn the meeting. Upon said motion being put to a vote, all voted Aye and the Nays were none. President Sockwell announced that the motion to adjourn was approved.

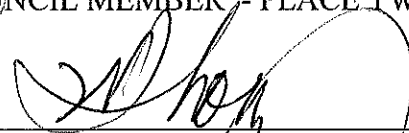
CITY OF MUSCLE SHOALS, ALABAMA
a municipal corporation




COUNCIL MEMBER - PLACE ONE



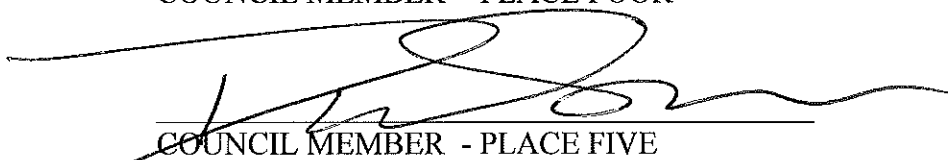
COUNCIL MEMBER - PLACE TWO



COUNCIL MEMBER - PLACE THREE




COUNCIL MEMBER - PLACE FOUR



COUNCIL MEMBER - PLACE FIVE

ATTEST:



CITY CLERK