

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
January 6, 2020**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:52 p.m. on the 6th day of January, 2020 being the scheduled time and place for said meeting. The meeting was called to order by Allen Noles, President of the Council. The invocation was given by Ricky Williams. On roll call the following members were found to be present or absent, as indicated:

PRESENT: CHRIS HALL, MIKE LOCKHART, KEN SOCKWELL, ALLEN NOLES
ABSENT: NEAL WILLIS

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. Ricky Williams, City Clerk, was present and kept the minutes of the meeting.

Upon motion duly made by Council Member Lockhart 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 December 30, 2019 and approved the minutes as written.

Mayor Bradford informed the Council that he had appointed Sammy Mayfield to the Planning and Zoning Board to a term expiring in December, 2024. He also offered condolences to the family of David Ryan upon his recent passing.

Council President Noles announced the next item of business was award of a bid for construction of sidewalks. 80% funding is provided by the Alabama Department of Transportation under project TAPAA-TA(909).

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NO. 3042 - 20

BE IT RESOLVED by the Council of the City of Muscle Shoals, Alabama that;

WHEREAS, the City Engineer did send out advertisements for bids for sidewalk construction along Webster Street, Brown Street, Edwards Avenue/Brookford Street in Muscle Shoals, ALDOT Project No.: TAPAA-TA18(909), the bid opening being held December 10, 2019 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

NAME OF BIDDER	BASE BID	ALTERNATE #1- BROWN STREET	ALTERNATE #2- WEBSTER ST.
Triple J Construction, LLC	\$565,282.00	\$42,321.00	\$141,365.00
Joe Keenum Excavation	\$706,790.00	\$52,994.50	\$159,755.00
Nelms & Gasque, LLC	\$449,211.00	\$40,591.00	\$103,768.00

WHEREAS, that the lowest, responsive and responsible bidder submitting the total bid price has been determined as Nelms & Gasque, LLC with a total bid price of \$489,802.00 for the construction of sidewalks which includes the base bid and alternate #1; now

THEREFORE, BE IT RESOLVED that the apparent lowest, responsive and responsible bidder, Nelms & Gasque, LLC is now awarded the bid for the construction of sidewalks at a total bid price of \$489,802.00 contingent upon approval of the bids from the Alabama Department of Transportation.

Council Member Sockwell 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.

Council President Noles announced the next item of business was a request for the vacation of a portion of Glendale Avenue as requested by Sandra Mitchell and Nancy Gooch.

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

STATE OF ALABAMA)
COLBERT COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Sandra Mitchell, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily and as the binding act of said company as of the day the same bears date. Given under my hand and official seal this the 17th day of December, 2019.

s/Ashlie Llewellyn
NOTARY PUBLIC

My Commission expires: 3-18-20

SEAL

IN WITNESS WHEREOF, the undersigned has caused this instrument to be duly executed on this 17th day of December, 2019.

s/ Jackie Mitchell
JACKIE MITCHELL

STATE OF ALABAMA)
COLBERT COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jackie Mitchell, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily and as the binding act of said company as of the day the same bears date. Given under my hand and official seal this the 17th day of December, 2019.

s/ Ashlie Llewellyn
NOTARY PUBLIC

My Commission expires:3-18-20

SEAL

IN WITNESS WHEREOF, the undersigned has caused this instrument to be duly executed on this 17th day of December, 2019.

s/ Nancy Gooch

NANCY GOOCH

STATE OF ALABAMA)
COLBERT COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Nancy Gooch, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily and as the binding act of said company as of the day the same bears date.

Given under my hand and official seal this the 17th day of December, 2019.

s/ Ashlie Llewellyn
NOTARY PUBLIC

My Commission expires: 3-18-20

SEAL

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3043 - 20

WHEREAS, SANDRA MITCHELL is the owner of Lots 1909 and 1910 in HIGHLAND PARK SUBDIVISION PLAT NUMBER 5, known and designated according to the map and plat thereof prepared by P.S. Milner, C.E., and recorded in Map Book 2, Page 59, in the Office of the Judge of Probate of Colbert County, Alabama; said property being property abutting the portion of Glendale Avenue (undeveloped) hereinafter set out; and

WHEREAS, JACKIE MITCHELL and NANCY GOOCH, are the owners of Lots 1911, 1912 and 1913 in HIGHLAND PARK SUBDIVISION PLAT NUMBER 5, known and designated according to the map and plat thereof prepared by P.S. Milner, C.E., and recorded in Map Book 2, Page 59, in the Office of the Judge of Probate of Colbert County, Alabama; said property being property abutting the portion of Glendale Avenue (undeveloped) hereinafter set out; said Petitioners, being desirous of vacating said portion of Glendale Avenue (undeveloped), have presented their signed Petition and Declaration of Vacation of said portion of Glendale Avenue (undeveloped) hereinafter described to the City Council of the City of Muscle Shoals, Alabama, a municipal corporation, for its consideration, assent and approval; and

WHEREAS, the said avenue or street to be vacated are more particularly described as follows:

That portion of Glendale Avenue (undeveloped) lying west of a line extended from the northwest corner of Lot 1910 to the southwest corner of Lot 1910 and lying east of a line extended from the northeast corner of Lot 1911 to the southeast corner of Lot 1911, and lying south of a line extended from the northwest corner of Lot 1910 to the northeast corner of Lot 1911 and lying north of a line extended from the southwest corner of Lot 1910 to the southeast corner of Lot 1911, all in Highland Park Subdivision Plat # 5, a subdivision in Colbert County, Alabama, known and designated according to the map and plat thereof prepared by P.S. Milner, C.E., and recorded in Map Book 2, Page 59, in the office of the Judge of Probate of Colbert County, Alabama

SUBJECT TO reservation of a utility and drainage easement in favor of the City of Muscle Shoals, Alabama for natural gas, water, and electric service and other utilities in the entire portion of the street or avenue being vacated hereby.

WHEREAS, the aforesaid Petitioners, as the owners of all property abutting the said portion of Glendale Avenue (undeveloped) to be vacated, having complied with all the requirements of Ordinances of the City of Muscle Shoals, Alabama, relating to the vacation of streets and alleyways within the City of Muscle Shoals, Alabama; and

WHEREAS, the City Council of the City of Muscle Shoals, Alabama, has determined

that the convenient means of ingress and egress to and from their property is afforded to all other property owners owning property in the tract of land embraced in the map, plat or survey within which the above described portion of Glendale Avenue (undeveloped) is located, such means of ingress and egress being afforded by the remaining dedicated streets in the area.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Muscle Shoals, Alabama, that the assent of the City Council of the City of Muscle Shoals, Alabama be and there same is hereby given and granted to the vacation of the portion of Missouri Avenue herein above described.

BE IT FURTHER RESOLVED that the City of Muscle Shoals, Alabama, a municipal corporation, remise, release, and quit-claim to Sandra Mitchell whatever right, title and interest the City of Muscle Shoals may have acquired in and to the East ½ of the above described vacated portion of Glendale Avenue (undeveloped) and remise, release, and quit-claim to Jackie Mitchell and Nancy Gooch whatever right, title and interest the City of Muscle Shoals may have acquired in and to the West ½ of the above described vacated portion of Glendale Avenue (undeveloped) and that the Mayor, David H. Bradford, is hereby authorized to execute and deliver said quit-claim deeds to each for and on behalf of the City of Muscle Shoals, Alabama.

Council Member Lockhart 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.

Council President Noles announced 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, the proposed ordinance being as follows:

ORDINANCE NO. _____
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 are currently zoned B-2 and is hereby incorporated in and made a part of the R-2 District, to wit:

Portion of lot 29 Avalon Highlands #1; 303 W. State Street

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 6th day of January, 2020, 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 Noles announced that now was the proper time for persons in favor and those in opposition to the ordinance to be recognized.

John Hicks, the realtor for the property spoke concerning the financial burden of complying with laws enacted since the property was rezoned in 1977 such as the Americans with Disabilities Act. He noted that a local bank had refused financing as a residential property, its current use.

Janine Rogers, owner of the property, noted that she had lost three sales of the property as residential use since it is currently zoned business.

There being no one further wishing to speak, President Noles 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

NAYS: Council Member Lockhart, Council Member Noles

President Noles noted that the application for rezoning was denied, lacking an affirmative majority vote.

Council President Noles announced the next item of business was a public hearing to consider the issuance of a Lounge Retail Liquor License - Class II (Package) to Shree Gajanana Business Inc. dba Shoals Liquor 2 located at 808 E. 2nd Street.

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

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

There being no one wishing to speak, President Noles stated that approval of the Lounge Retail Liquor License - Class II (Package) 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 Lockhart, Council Member Sockwell,
Council Member Noles

NAYS: None

President Noles announced that the license had been approved.

President Noles announced that the next item of business was consideration of a resolution to authorize the Mayor to enter into an agreement with AVENU insights & Analytics, LLC for discovery and collection of delinquent business licenses.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3044 - 20

WHEREAS, the City Council of the City of Muscle Shoals has been presented and has reviewed that certain instrument styled Tax Revenue Agreement Business License Discovery/Recovery; and

WHEREAS, the City Council of the City of Muscle Shoals deems it necessary and expedient that action be taken to approve execution of the agreement styled Tax Revenue Agreement Business License Discovery/Recovery with AVENU insights & Analytics, LLC;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals does hereby authorize the City to enter into said agreement styled Tax Revenue Agreement Business License Discovery/Recovery with AVENU insights & Analytics, LLC, and;

BE IT FURTHER RESOLVED that the City Council of the City of Muscle Shoals, Alabama, does hereby approve the agreement hereinabove described and does hereby authorize David H. Bradford as Mayor the City of Muscle Shoals, Alabama to execute the said agreement styled Tax Revenue Agreement Business License Discovery/Recovery and deliver an executed copy to AVENU insights & Analytics, LLC and the City Clerk is hereby directed to retain a copy of the executed documents in the City's records.

Council Member Hall 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 approval of a resolution declaring certain property surplus and authorizing its disposal.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3045 - 20

WHEREAS, the City Council has been informed by various Department Heads that certain vehicles and equipment hereinafter described and previously used in the performance of their duties is no longer required for use by City personnel; and

WHEREAS, the City Council is informed by the various Department Heads that the City has no further use for said vehicles and equipment due to their age and condition and it is not economical for the City to retool or refit the said vehicles and equipment in order that it be able to be placed in service; and

WHEREAS, the City Council has determined that the said vehicles and equipment are surplus property and the City has no further use for said vehicles and equipment due to their age and condition; now

THEREFORE BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama that the following described vehicles and equipment be declared surplus property and be disposed of by the Procurement Officer 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 said vehicles and equipment and the Council does hereby authorize the Procurement Officer to dispose of said vehicles and equipment by placement on Govdeals.com. The Council finds that the following vehicles and equipment are surplus property:

<u>Item</u>	<u>VIN</u>	<u>Asset #</u>
2004 Ford Taurus	1FAFP52U54A189544	
2009 Sterling Acterra 4500 Garbage Truck	2FZACHBS39AAG4500	0810270001
2001 Caterpillar 430D Backhoe	CAT0430DH8NK02652	0205170002
1995 Ford Pickup Truck	1FTEF14N5SNB37103	2308010047
1985 Ford 8000 Dump Truck	1FDYU80U3FVA33011	2308010053
2003 Sterling Acterra,Heil bed Garbage Trk	2FZACHC33AL63072	0212270001
2003 Sterling Acterra,Heil bed Garbage Trk	2F2AAKAK83AJ77985	0509300001
1995 Brush Trailer	Serial #800-517	9508150033
2004 Cub Cadet 1000 Lawn Mower	Serial #1C024H30185	0403220001

BE IT FURTHER RESOLVED that the title to the vehicles and equipment shall be properly executed and delivered, along with the vehicles and equipment, to the buyer and that all expenses of the transfer shall be borne by the buyer.

Council Member Sockwell 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 approval of a resolution making an appointment to the Zoning Board of Adjustment.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3046 - 20

WHEREAS, a term on the Muscle Shoals Zoning Board of Adjustment 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 individual made proper application and met the requirements for appointment, is eligible for appointment to fill the pending vacancy:

Edward R. Hester

WHEREAS, Edward R. Hester 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 Hall: Edward R. Hester
- Council Member Lockhart: Edward R. Hester
- Council Member Sockwell: Edward R. Hester
- Council Member Noles: Edward R. Hester

WHEREAS, Council President Noles announced that Edward R. Hester 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>
Edward R. Hester	Zoning Board of Adjustment	December, 2022

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 Sockwell 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 establish the Solid Waste Authority of the Cities of Muscle Shoals, Sheffield and Tuscumbia pursuant to Chapter 89A or Title 11, Code of Alabama, 1975 as amending.

Council Member Sockwell introduced the resolution in writing and moved for its immediate consideration:

STATE OF ALABAMA

COLBERT COUNTY

APPLICATION

WHEREAS, the undersigned William Osborn, a resident of Muscle Shoals, Alabama, does hereby present the foregoing application to the governing body of Muscle Shoals, Alabama; and does hereby state that it is the proposal of the undersigned that a solid waste disposal authority be formed pursuant to the laws of the State of Alabama, particularly, Chapter 89A of Title 11, Code of Alabama, 1975, as amended; to be comprised of the following determining subdivisions: the City of Muscle Shoals, Alabama, the City of Sheffield, Alabama, and the City of Tuscumbia, Alabama; and, therefore, the undersigned does represent unto the said governing body as follows:

- (1)The foregoing application is filed with the governing body of Muscle Shoals, Alabama and the undersigned represents unto the governing body that like applications have been or will be filed with the governing bodies of Sheffield, Alabama and Tuscumbia, Alabama.
- (2)The undersigned, along with the applicants to the remainder of the proposed determining subdivisions, proposes to form and incorporate a solid waste disposal authority to be known as Solid Waste Disposal Authority of Cities of Muscle Shoals, Sheffield, and Tuscumbia, Alabama, pursuant to the provisions of Chapter 89A or Title 11, Code of Alabama, 1975, as amended.
- (3)The proposed location of the initial principal office of the authority shall be in Muscle Shoals City Hall, 2010 E. Avalon Avenue, Muscle Shoals, AL 35661.
- (4)The undersigned applicant is a duly qualified elector of Muscle Shoals, Alabama and all of the other applicants are duly qualified electors of either the cities of Sheffield or Tuscumbia, Alabama.

WHEREFORE, the applicant requests that the governing body of Muscle Shoals, Alabama adopt a resolution declaring that it is wise, expedient, and necessary that the proposed authority be formed; that it approves the proposed form of the certificate of incorporation of the proposed authority (a copy of which is attached hereto); and that it authorizes the undersigned applicant to join together with the other applicants of the proposed determining subdivisions and proceed to form the proposed authority by filing for record of a certificate of incorporation in accordance with the provisions of the laws of the State of Alabama.

This the 6th day of January, 2019.

s/ William Osborn

NAME

STATE OF ALABAMA

COLBERT COUNTY

APPLICATION

WHEREAS, the undersigned Dennie T. Robinson, a resident of Muscle Shoals, Alabama, does hereby present the foregoing application to the governing body of Muscle Shoals, Alabama; and does hereby state that it is the proposal of the undersigned that a solid waste disposal authority be formed pursuant to the laws of the State of Alabama, particularly, Chapter 89A of Title 11, Code of Alabama, 1975, as amended; to be comprised of the following determining subdivisions: the City of Muscle Shoals, Alabama, the City of Sheffield, Alabama, and the City of Tuscumbia, Alabama; and, therefore, the undersigned does represent unto the said governing body as follows:

- (1) The foregoing application is filed with the governing body of Muscle Shoals, Alabama and the undersigned represents unto the governing body that like applications have been or will be filed with the governing bodies of Sheffield, Alabama and Tuscumbia, Alabama.
- (2) The undersigned, along with the applicants to the remainder of the proposed determining subdivisions, proposes to form and incorporate a solid waste disposal authority to be known as Solid Waste Disposal Authority of Cities of Muscle Shoals, Sheffield, and Tuscumbia, Alabama, pursuant to the provisions of Chapter 89A or Title 11, Code of Alabama, 1975, as amended.
- (3) The proposed location of the initial principal office of the authority shall be in Muscle Shoals City Hall, 2010 E. Avalon Avenue, Muscle Shoals, AL 35661.
- (4) The undersigned applicant is a duly qualified elector of Muscle Shoals, Alabama and all of the other applicants are duly qualified electors of either the cities of Sheffield or Tuscumbia, Alabama.

WHEREFORE, the applicant requests that the governing body of Muscle Shoals, Alabama adopt a resolution declaring that it is wise, expedient, and necessary that the proposed authority be formed; that it approves the proposed form of the certificate of incorporation of the proposed authority (a copy of which is attached hereto); and that it authorizes the undersigned applicant to join together with the other applicants of the proposed determining subdivisions and proceed to form the proposed authority by filing for record of a certificate of incorporation in accordance with the provisions of the laws of the State of Alabama.

This the 20th day of December, 2019.

s/ Dennie T. Robinson
NAME

STATE OF ALABAMA

COLBERT COUNTY

APPLICATION

WHEREAS, the undersigned Tandy Crosswhite, a resident of Muscle Shoals, Alabama, does hereby present the foregoing application to the governing body of Muscle Shoals, Alabama; and does hereby state that it is the proposal of the undersigned that a solid waste disposal authority be formed pursuant to the laws of the State of Alabama, particularly, Chapter 89A of Title 11, Code of Alabama, 1975, as amended; to be comprised of the following determining subdivisions: the City of Muscle Shoals, Alabama, the City of Sheffield, Alabama, and the City of Tuscumbia, Alabama; and, therefore, the undersigned does represent unto the said governing body as follows:

- (1) The foregoing application is filed with the governing body of Muscle Shoals, Alabama and the undersigned represents unto the governing body that like applications have been or will be filed with the governing bodies of Sheffield, Alabama and Tuscumbia, Alabama.
- (2) The undersigned, along with the applicants to the remainder of the proposed determining subdivisions, proposes to form and incorporate a solid waste disposal authority to be known as Solid Waste Disposal Authority of Cities of Muscle Shoals, Sheffield, and Tuscumbia, Alabama, pursuant to the provisions of Chapter 89A or Title 11, Code of Alabama, 1975, as amended.
- (3) The proposed location of the initial principal office of the authority shall be in Muscle Shoals City Hall, 2010 E. Avalon Avenue, Muscle Shoals, AL 35661.
- (4) The undersigned applicant is a duly qualified elector of Muscle Shoals, Alabama and all of the other applicants are duly qualified electors of either the cities of Sheffield or Tuscumbia, Alabama.

WHEREFORE, the applicant requests that the governing body of Muscle Shoals, Alabama adopt a resolution declaring that it is wise, expedient, and necessary that the proposed authority be formed; that it approves the proposed form of the certificate of incorporation of the proposed authority (a copy of which is attached hereto); and that it authorizes the undersigned applicant to join together with the other applicants of the proposed determining subdivisions and proceed to form the proposed authority by filing for record of a certificate of incorporation in accordance with the provisions of the laws of the State of Alabama.

This the 6th day of January, 2020.

s/ Tandy Crosswhite

NAME

RESOLUTION NUMBER 3047 - 20

WHEREAS, the City Council of the City of Muscle Shoals, Alabama has received written application of a qualified elector of the City, along with a form of a proposed certificate of incorporation of Solid Waste Disposal Authority of Cities of Muscle Shoals, Sheffield, and Tuscumbia, Alabama pursuant to the laws of the State of Alabama; and,

WHEREAS, the City Council is informed that like applications have been or will be filed with the governing bodies of each of the proposed determining subdivisions; and,

WHEREAS, the City Council has reviewed the contents of the application and determined that same is properly filed upon behalf of a duly qualified elector of the City; and,

WHEREAS, the City Council finds that said application and accompanying documents are in due form and proper order and upon consideration of same determines that it is wise, expedient, and necessary that the proposed Authority be formed.

BE IT HEREBY RESOLVED that the City Council does hereby find that the application and accompanying documents proposing to form a solid waste disposal authority comprised of the following determining subdivisions: the cities of Muscle Shoals, Sheffield, and Tuscumbia, Alabama, pursuant to the laws of the State of Alabama are in due form and proper order; and,

BE IT FURTHER RESOLVED that the City Council finds it wise, expedient, and necessary that a solid waste disposal authority be formed; does hereby approve the form and content of the certificate of incorporation presented to it; and does further authorize the applicants to proceed to form the proposed authority by filing for the record the certificate of incorporation of the Solid Waste Disposal Authority of Cities of Muscle Shoals, Sheffield, and Tuscumbia, Alabama in accordance with the laws of the State of Alabama; and,

BE IT FURTHER RESOLVED that a certified copy of this resolution be prepared forthwith by the Clerk and delivered to the applicants; and,

BE IT FURTHER RESOLVED that a copy of the application to form said authority and the accompanying documents be spread upon the minutes of the meeting of the City Council.

Council Member Lockhart seconded the motion and upon said motion being put to a vote, a roll call was had:

AYES: Council Member Hall, Council Member Lockhart, Council Member Sockwell
Council Member Noles

NAYS: None

President Noles announced that the motion for immediate consideration was passed unanimously.

Council Member Sockwell moved that the resolution be approved as present. Council Member Lockhart seconded the motion and upon said motion being put to a vote, the following vote was recorded:

AYES: Council Member Hall, Council Member Lockhart, Council Member Sockwell,
Council Member Noles

NAYS: None

President Noles announced that the resolution had been approved unanimously.

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

ATTEST:

COUNCIL MEMBER - PLACE FIVE

CITY CLERK