

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
October 1, 2018**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:00 p.m. on the 1st day of October, 2018 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, NEAL WILLIS, MIKE LOCKHART,
KEN SOCKWELL, ALLEN NOLES
ABSENT: NONE

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

Upon motion duly made by Council Member Willis 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 September 17, 2018 and approved the minutes as written.

President Noles announced that the next item of business was consideration of a resolution to award the bid for asphalt purchases for the 2018-2019 fiscal year.

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

**STATE OF ALABAMA
COLBERT COUNTY**

RESOLUTION NO. 2975 - 18

WHEREAS, advertisements for bids for the purchase of asphalt and binder for the 2018-2019 fiscal year were distributed, the bid opening set for the 27th day of September, 2017, 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	424A-336 3/8" Asphalt / ton	424A - 340 1/2" Asphalt / ton	424A-341 3/4" Asphalt / ton	424B-636 1" Binder / ton	Product Available ARO
Mid-South Paving, Inc.	\$63.00	\$57.00	\$50.00	\$47.00	2 Days
Rogers Group, Inc.	\$63.00	\$57.00	\$52.00	\$48.00	Same Day

WHEREAS, it has been determined that the lowest, responsive, responsible bidder submitting a bid is Mid-South Paving, Inc.; and

WHEREAS, due to the nature of the product, its use and pricing, it is in the best interest of the city at this to have a primary and secondary source for the purchase of the bid product(s); now

THEREFORE, BE IT RESOLVED, that the bid is hereby awarded to Mid-South Paving, Inc. as the first and primary provider, and to Rogers Group as the secondary provider in the event the primary provider cannot provide products when needed and as proposed in the submitted bid.

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 award the bid for coarse aggregates for the 2018-2019 fiscal year.

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

**STATE OF ALABAMA
COLBERT COUNTY**

RESOLUTION NO. 2976 - 18

WHEREAS, advertisements for bids for the purchase of coarse aggregates for the 2018-2019 fiscal year were distributed, the bid opening set for the 27th day of September, 2018, 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

BIDDER	Unit	No. 57	No. 78	Crusher Run	Rip Rap	Dense Graded Base
Rogers Group, Inc.	Ton	\$11.50	\$12.00	\$9.00	\$13.50	\$9.50

WHEREAS, the lowest, responsive, and responsible bidder has been determined as Rogers Group, Inc. with a bid price of \$11.50 per ton for No. 57 coarse aggregate; \$12.00 per ton for No. 78 coarse aggregate; \$9.00 per ton for crusher run; \$13.50 per ton for rip rap; and \$9.50 per ton for dense graded base; now

THEREFORE BE IT RESOLVED that the lowest, responsive and responsible bidder, Rogers Group, Inc. is now awarded the bid for the purchase of coarse aggregates for the fiscal year 2018-2019.

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.

President Noles announced that the next item of business was consideration of an agreement with Drayer Physical Therapy Institute to provide a certified athletic trainer for recreation sporting events for the 2018-2019 fiscal year subject to the removal of the reference to a designated team physician by the City in the agreement(See paragraph 3A).

Council Member Lockhart moved that the agreement be approved subject to the modification referenced above. Council Member Willis seconded the motion and upon said motion being put to a vote all voted “AYE” and “NAYS” were none.

President Noles announced that the agreement had been approved with the stipulation as noted above.

President Noles announced that the next item of business was consideration of a resolution to appoint a member to the Shoals Economic Development Authority Board.

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

**STATE OF ALABAMA
COLBERT COUNTY**

RESOLUTION NUMBER 2977 - 18

WHEREAS, a term on the Shoals Economic Development Authority Board 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:

Greg Beasley

Matt Bernauer

Edna McPherson

WHEREAS, Matt Bernauer 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: Matt Bernauer
Council Member Willis: Matt Bernauer
Council Member Lockhart: Matt Bernauer
Council Member Sockwell: Matt Bernauer
Council Member Noles: Matt Bernauer

WHEREAS, Council President Noles announced that Matt Bernauer 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>
Matt Bernauer	SEDA Board	September, 2021

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 Willis 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 reschedule the date for City Council work session and regular meeting set for November 5, 2018.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2978 - 18

WHEREAS, Act #2005-40, enacted by the Alabama Legislature, addresses the manner in which municipalities conduct and give notice of public meetings of the governing body, and

WHEREAS, the Alabama Open Meetings Act requires notice to the public of meetings of governmental bodies covered by the act, now

THEREFORE BE IT RESOLVED By the City Council of the City of Muscle Shoals, Alabama that notice is hereby given that the regular meeting and work session of the City Council set for Monday, November 5, 2018 is hereby changed until Tuesday, November 13, 2018 at the regular times and place.

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.

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