

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
December 17, 2018**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:05 p.m. on the 17<sup>th</sup> day of December, 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. Mayor David Bradford was also present. Richard Williams, City Clerk, was present and kept the minutes of the meeting.

Upon motion duly made by Council Member Hall and seconded by Council Member Sockwell and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of December 3, 2018 and approved the minutes as written.

Mayor Bradford presented a Certificate of Commendation to Kelley Word, Lead School Nurse for the Muscle Shoals City School System.

President Noles announced that the next item of business was consideration of a resolution to approve the purchase of two mowers for Cypress Lakes Golf from the National Intergovernmental Purchasing Alliance (NIPA).

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

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NUMBER 2990- 18**

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama approved the purchase of one (1) new Toro Groundsmaster 4300-D rough mower; and one (1) Toro Reelmaster 3575-D fairway mower to be utilized at Cypress Lakes Golf and Tennis, and

**WHEREAS**, the Procurement Agent advised that the purchase must comply with the Alabama Competitive Bid Law requirements, and that a purchasing cooperative contract approved by the State of Alabama is valid for such purchase; and

**WHEREAS**, the Procurement Agent further advised that the purchase price for the new, rough mower is \$52,517.62 and the purchase price for the new, fairway mower is \$61,977.19 with both items to be purchased from Toro with Jerry Pate Turf & Irrigation being the approved sales and delivery dealer and further that Toro is the awarded contractual vendor of the national purchasing cooperative National Intergovernmental Purchasing Alliance (NIPA) for said items; now

**THEREFORE, BE IT RESOLVED** by the City Council of the City of Muscle Shoals that Toro, the contractual vendor of Alabama approved purchasing cooperative NIPA for said described equipment is now hereby awarded the purchase of the approved, new, Toro Groundsmaster 4300-D rough mower; and the new, Toro Reelmaster 3575-D fairway mower, for the total purchase price of all equipment being \$116,212.23.

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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 a resolution to abandon five feet of a utility easement in Wynchase Subdivision, Phase II as described below.

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

STATE OF ALABAMA  
COLBERT COUNTY

### **RESOLUTION NUMBER 2991 - 18**

**WHEREAS**, the City Council has received a request from Wynchase LLC, the owner of the lot wherein the said easement is located, that a portion of the easement be abandoned and after due inspection and review, the City Council is of the opinion that a portion of the easement is no currently needed nor is it anticipated that said portion of the easement sought to be abandoned will be needed or utilized in the future;

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama has reviewed a recommendation from the City’s Building Department for an abandonment of a portion of easements pertaining to Lot 88, Wynchase Phase II, Subdivision, a subdivision as shown on the plat thereof recorded in Map Cabinet C at Slide 190 in the Office of the Judge of Probate of Colbert County, Alabama; and

**WHEREAS**, the City's Building official has reviewed the request and determined that such an abandonment of the portion of the easement sought will not adversely affect the City's drainage or utility operations; and

**WHEREAS**, the City Council finds that other instruments and related documents may be required in connection with the said abandonment of the portion of the easements and is desirous of authorizing the execution and delivery of other instruments and related documents in connection with said request as herein above described;

**BE IT HEREBY RESOLVED** that the City Council of the City of Muscle Shoals, Alabama does hereby approve, consent to and ratify the abandonment of that certain portion of the easements hereinafter and does hereby abandon same, said portion of the easements abandoned hereby is more particularly described as follows, to wit:

The South 5' of the utility easement along the North boundary line of Lot 88, Wynchase Phase II Subdivision, a subdivision as shown on the plat thereof recorded in Map Cabinet C at Slide 190 in the Office of the Judge of Probate of Colbert County, Alabama

**BE IT FURTHER RESOLVED** that the City Council of the City of Muscle Shoals, Alabama, does hereby authorize and direct the Mayor of the City, David H. Bradford, for and on behalf of the City to execute and any all documents that may be required or necessary to affect the abandonment of said portion of the said easements described herein for and on behalf of the City of Muscle Shoals, Alabama; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be prepared forthwith by the Clerk and cause a copy of same to be filed for record in the Office of the Judge of Probate of Colbert County, Alabama; delivered to the various utility boards and departments within the City and furthermore shall retain a copy to be kept on file by the said Clerk.

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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.

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

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COUNCIL MEMBER - PLACE ONE

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COUNCIL MEMBER - PLACE TWO

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COUNCIL MEMBER - PLACE THREE

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COUNCIL MEMBER - PLACE FOUR

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COUNCIL MEMBER - PLACE FIVE

ATTEST:

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CITY CLERK