

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
December 5, 2016**

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 5th day of December, 2016 being the scheduled time and approved place for said meeting. The meeting was called to order by Allen Noles, President of the Council. 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 Willis 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 November 21, 2016 and approved the minutes as written.

Mayor Bradford presented certificates of recognition to members of the living center for their participation in the 2016 Masters Games.

President Noles announced that the next item of business was consideration of a resolution to award a bid for the construction of sidewalks.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2850-16

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 6th Street, Sheffield Avenue, and Elledge Lane in Muscle Shoals (ALDOT Project No.: TAPOA-TA15(916), the bid opening being held November 30, 2016 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

	CYPRESS CONTRACTING, LLC	JOE KEENUM EXCAVATION & CONSTRUCTION, INC.
Total Base Bid	\$334,443.50	\$387,816.00
Alternate No. 1 (Elledge Lane sidewalk)	\$47,443.00	\$54,581.00
Adjusted total	\$381,886.00	\$442,397.00

WHEREAS, that the lowest, responsive and responsible bidder submitting the base bid price has been determined as Cypress Contracting, LLC. with a total base only bid price of \$334,443.50 for the construction of sidewalks along 6th Street and Sheffield Avenue eliminating Alternate No. 1; now

THEREFORE, BE IT RESOLVED that the apparent lowest, responsive and responsible bidder, Cypress Contracting, LLC is now awarded the bid for the construction of sidewalks along 6th Street and Sheffield Avenue (the base bid only and eliminating Alternate No. 1) at a total base bid price of \$334,443.50.

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 authorize the Mayor to submit a grant application to the Alabama Department of Transportation for a FY2017 Transportation Alternatives program to construct sidewalks.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2851 - 16

WHEREAS, the City Council of the City of Muscle Shoals, Alabama has reviewed the scope of work for the proposed Alabama Department of Transportation (ALDOT) FY 2017 Transportation Alternatives Program Application, now

THEREFORE BE IT RESOLVED By the City Council of the City of Muscle Shoals, Alabama that the proposed application be approved and

BE IT FURTHER RESOLVED that the Mayor be authorized to execute any necessary documents to complete the submission of the application to ALDOT, and

BE IT FURTHER RESOLVED that the City of Muscle Shoals commits to pursue the project to completion and be responsible for the required expenses, including, but not limited to, the local share funds and professional fees for preliminary engineering activities.

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 consideration of a resolution to authorize the Mayor to execute a grant agreement with the Alabama Department of Transportation for an Industrial Access grant for intersection improvements at 6th Street and Wilson Dam Highway (AL 133).

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2852 - 16

BE IT RESOLVED, by the City Council of the City of Muscle Shoals, Alabama as follows:

1. That the City enters into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for:

Preliminary engineering, right-of-way acquisition, and construction program for Project IAR-017-000-011, Project Reference Number 100000000 for widening to add additional turn lanes on 6th Street at the intersection with AL-133 to benefit North American Lighting, CBC INGS, America, Inc. and Consolidated Tool in the City of Muscle Shoals; which is before this Council.

2. That the agreement be executed in the name of the City, by its Mayor, for and on its behalf.
3. That the agreement be attested by the City Clerk and the seal of the City affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the Agreement by all parties, that a copy of such Agreement be kept on file by the City Clerk.

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 authorize the Mayor to enter an agreement with the Alabama Technology Network for the use of the City's fire training center.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2853 - 16

WHEREAS, the City Council of the City of Muscle Shoals, Alabama has received an instrument styled AGREEMENT between the City of Muscle Shoals and the Alabama Technology Network (hereafter referred to as ATN) pertaining to the use by ATN of the City of Muscle Shoals Fire Department Training Center; 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 the ATN; and

WHEREAS, the City Council finds that other instruments and related documents may be required in connection with said matter and issue presented in the above described instrument and is desirous of authorizing the execution and delivery of other instruments and related documents in connection therewith;

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, David H. Bradford, for and on behalf of the City to execute the instrument styled AGREEMENT with the ATN pertaining to the use by ATN of the City of Muscle Shoals Fire Department Training Center.

BE IT FURTHER RESOLVED that the Mayor of the City, David H. Bradford, 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 Alabama Forestry Commission along with the executed instrument styled AGREEMENT with the ATN pertaining to the use by ATN of the City of Muscle Shoals Fire Department Training Center and furthermore shall retain a copy to be kept on file by the said Clerk.

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 appoint a member to the Recreation Board.

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

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2854 - 16

WHEREAS, a term on the Recreation 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:

Tony Word

WHEREAS, Tony Word was the sole applicant and otherwise qualified to serve, and

WHEREAS, a roll call vote was had by the City Council as follows:

Council Member Hall: Tony Word
Council Member Willis: Tony Word
Council Member Lockhart: Tony Word
Council Member Sockwell: Tony Word
Council Member Noles: Tony Word

WHEREAS, Council President Noles announced that Tony Word 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>
Tony Word	Recreation Board	November, 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 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 appoint a member to the Library Board.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2855 - 16

WHEREAS, the term of a member of the Library 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:

Martha Black

WHEREAS, Martha Black was the sole applicant for appointment to the board and currently serving on the board, and

WHEREAS, a roll call vote was had by the City Council as follows:

Council Member Hall: Martha Black
Council Member Willis: Martha Black
Council Member Lockhart: Martha Black
Council Member Sockwell: Martha Black
Council Member Noles: Martha Black

WHEREAS, Council President Noles announced that Martha Black 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>
Martha Black	Library Board	November, 2020

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.

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