

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
February 20, 2017**

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 20th day of February, 2017 being the scheduled time and approved 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 Lockhart 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 February 6, 2017 and approved the minutes as written.

President Noles announced that the next item of business was consideration of a resolution to authorize the purchase of an extrication tool for the fire department through the Houston-Galveston Area Cooperative-Buy.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2870-17

BE IT RESOLVED, that the City Council of the City of Muscle Shoals, Alabama approved the purchase of an extrication tool set to include a spreader, cutter, and ram to be utilized at Muscle Shoals Fire Department; and

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

BE IT FURTHER RESOLVED, the Procurement Agent further advised that the purchase price for the extrication tool set is \$27,675.00 to be purchased from Municipal Emergency Services, Inc. (MES) and further that MES is the awarded contractual vendor for said item with Houston-Galveston Area Cooperative-Buy (HGAC-Buy), a State of Alabama approved purchasing cooperative;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals that Municipal Emergency Services, Inc. (MES) the contractual vendor of HGAC-Buy is awarded the purchase of the approved extrication tool set for the total purchase price of \$27,675.00.

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 an agreement with Walker-Waddell Investments for preparation of a Letter of Map Revision to the Federal Emergency Management Agency for Cottonwood Subdivision - Phase 8.

Council Member Hall moved that the agreement be approved as presented by City Attorney Marcel Black.

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.

President Noles announced that the next item of business was consideration of a resolution to make two appointments to the Muscle Shoals Electric Board.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2871 - 17

WHEREAS, the term of two members of the Muscle Shoals Electric Board of the City of Muscle Shoals have expired and the City Council being desirous of making the necessary appointments to said board within the City;

WHEREAS, notice was given to the public of said pending vacancies and applications solicited for members to said board;

WHEREAS, the following individuals made proper application and met the requirements for appointment, are eligible for appointment to fill the pending vacancies:

Don Anderson	Gregory Hill	Danny Prince
Frankie Tubbs Jr.	Tom Whatley	Larry “Butch” Whitehead
Charles Nathan Willingham		

WHEREAS, Tom Whatley and Larry “Butch” Whitehead were determined to have received the best overall rankings on the City Council evaluations, and

WHEREAS, a roll call vote was had by the City Council as follows:
Council Member Hall: Tom Whatley and Larry “Butch” Whitehead
Council Member Willis: Tom Whatley and Larry “Butch” Whitehead
Council Member Lockhart: Tom Whatley and Larry “Butch” Whitehead
Council Member Sockwell: Tom Whatley and Larry “Butch” Whitehead
Council Member Noles: Tom Whatley and Larry “Butch” Whitehead

WHEREAS, Council President Noles announced that Tom Whatley and Larry “Butch” Whitehead had received a majority of the votes cast, now

THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama does hereby appoint the following named persons to serve as set forth herein:

<u>APPOINTEE</u>	<u>BOARD</u>	<u>EXPIRATION OF TERM</u>
Tom Whatley	Electric Board	February 2023
Larry “Butch” Whitehead	Electric Board	February 2023

The Clerk is hereby directed to notify the above named persons of their appointment and to further notify the respective board of said appointments.

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 amend the Civil Service Policies and Procedures.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2872 - 17

WHEREAS, the City Council of the City of Muscle Shoals, Alabama has duly considered corrections in the disciplinary policies of the City of Muscle Shoals, Civil Service Personnel Policies and Procedures ; and

WHEREAS, due and proper notice of the proposed change has been posted pursuant to said polices; and

WHEREAS, the issue of the proposed corrections to the disciplinary policy as currently found in Sections 8.3.2 and 8.3.4 of the City of Muscle Shoals, Civil Service, Personnel Policies and Procedures is properly before the Council for consideration;

BE IT HEREBY RESOLVED that the City Council of the City of Muscle Shoals, Alabama does hereby approve, consent to and ratify the following corrections to the disciplinary policy of the City of Muscle Shoals as same is applied to the eligible employees of the city and does hereby replace the existing language of said section and replace and amend said Section 8.3.2 of the City of Muscle Shoals, Civil Service, Personnel Policies and Procedures to read in its entirety as follows, to wit:

8.3.2 Disciplinary Actions for Group One Offenses. Disciplinary actions for group one offenses will be taken in accordance with the guidelines established in section 8.4 below. Disciplinary actions normally recommended for a group one offense are as follows:

8.3.2.1 First Offense - written warning.

8.3.2.2 Second Offense - suspension without pay.

8.3.2.3 Third Offense - dismissal (any combination of three (3) written warnings and/or suspensions without pay within a twenty-four (24) month period will constitute justification for immediate dismissal).

BE IT HEREBY RESOLVED that the City Council of the City of Muscle Shoals, Alabama does hereby approve, consent to and ratify the following change to the disciplinary policy of the City of Muscle Shoals as same is applied to the eligible employees of the city and does hereby replace the existing language of said section and replace and amend said Section 8.3.4 of the City of Muscle Shoals, Civil Service, Personnel Policies and Procedures to read in its entirety as follows, to wit:

8.3.4. Disciplinary Actions for Group Two Offenses. Disciplinary action for group two offenses will be taken in accordance with the disciplinary guidelines established in section 8.4 below. Disciplinary action normally recommended for a group two offense is as follows:

8.3.4.1. First Offense. The first offense will normally constitute grounds for dismissal. However, lesser disciplinary action may be taken if mitigating circumstances so warrant.

BE IT FURTHER RESOLVED that the City Council of the City of Muscle Shoals, Alabama, does hereby direct the City Clerk to post notice of this amendment to said policy pursuant to the requirements of ordinances and/or resolutions and to further deliver a copy to each department head with instructions that same be posted in an open and conspicuous place within the office of said department for a period of no less than (30) days.

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.

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