

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
May 13, 2019**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:10 p.m. on the 13th day of May, 2019 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, IKE 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 trans action 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 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 April 15, 2019 and approved the minutes as written.

Mayor Bradford reported that the Alabama League of Municipalities annual meeting was very successful this year. He also reported that the Webster Street improvements were progressing and North American Lighting had discussed possible expansion of their facilities. He also noted that he would be traveling to Washington D. C. to discuss possible federal funding for several projects and essential air service.

President Noles announced that the next item of business was consideration of a petition to vacate streets and alleys in Central Park Subdivision as further described following.

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

STATE OF ALABAMA
COLBERT COUNTY

PETITION FOR VACATION

The undersigned, William R. Aycock, Sandra F. Aycock, Norma Jane Elledge, Ashley N. Elledge and Andy Elledge, being the owners of various lots located in Central Park Subdivision, as recorded in Map Book 2, Page 251, in the Office of the Judge of Probate of Colbert County, Alabama (hereafter referred to as "Central Park Subdivision"), including Lots 6-122, 249-365, 390-448, 511-628, said Lots being the entirety of unvacated Central Park Subdivision¹ including the alley(s) and the street(s) hereinafter set out, in pursuance of the power in us vested by Ala. Code § 35-2-53 and 54 (1975, as amended) vacate those portions of Central Park Subdivision lying within a boundary described as follows:

A portion of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 7, Township 4 South, Range 10 West, more particularly described as follows:

Beginning at the Southwest corner of Northwest $\frac{1}{4}$ of said Section 7; thence run east 2093 feet to the Southwest corner of the parcel of land which was conveyed to William R. Aycock and wife, by deed recorded in Deed Book 361, Page 55; thence run north along the west line of said Aycock tract and along the west line of tract of land conveyed to Samuel E. Elledge and wife, by deed recorded in Deed Book 365, Page 194, a distance of 798.6 feet to the northwest corner of said Elledge tract; thence run west 2093 feet to a point on the west line of the northwest $\frac{1}{4}$ of said Section 7; thence run south 798.6 feet to the point of beginning, containing 38.37 acres, more or less.

ALSO:

A portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and a portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, Township 4 South, Range 10 West, Colbert County, Alabama, and being more fully described as follows: Beginning at the center of said Section 7, thence N 88° 05' W a distance of 547' to a point; thence North a distance of 399.3' to a point; thence S 88° 05' E a distance of 877' to a point; thence South a distance of 399.3' to a point; thence N 88° 05' W a distance of 330' to the point of beginning of the tract herein described and containing 8.04 acres more or less.

ALSO:

A portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and a portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T-4-S, R-10-W, Colbert County, Alabama, and being more fully described as follows: Commence at the center of the said Section 7; thence N 88° 05' W a distance of 547' to a point; thence North a distance of 399.3' to the point of beginning of the tract herein described; thence continue North a distance of 399.3' to a point; thence S 88° 05' E a distance of 877' to a point; thence South a

¹ Other lots, streets, and alleys once a part of Central Park Subdivision were previously vacated by owners thereof. The lots, streets, and alleys described in this petition represent the whole of unvacated Central Park Subdivision.

distance of 399.3' to a point; thence N 88° 05' W a distance of 877' to the point of beginning of the tract herein described and containing 8.04 acres, more or less.

The property described above encompasses the following lots, streets, and alleys, shown and designated on the plat of Central Park Subdivision, and the same are hereby declared to be vacated:

Lots 6-122, 249-365, 390-448, and 511-628, all inclusive, in Central Park Subdivision, as the same appears in Map Book 2, Page 251, in the Office of the Judge of Probate of Colbert County, Alabama, together with all streets and alleys abutting the same, being:

Main Street, from the points at which its northernmost and southernmost rights-of-way intersect with the East right-of-way of Alabama Highway 133 and running East to its intersection with a line running North and South and described as beginning at the southeastern corner of the West 17' of Lot 122 and ending at the northeastern corner of the West 17' of Lot 249.

Poplar Drive, from the points at which its northernmost and southernmost rights-of-way intersect with a line running North and South and described as beginning at the southeastern corner of the West 17' of Lot 628 and ending at the northeastern corner of Lot 511, running east to the points at which its northernmost and southernmost rights-of-way intersect with the East right-of-way of Alabama Highway 133.

Oak Street, from the southeastern corner of Lot 446 and southwestern corner of Lot 447, north to the northeastern corner of Lot 119 and the northwestern corner of Lot 120.

Cherry Street, from the northeastern corner of Lot 79 and the northwestern corner of Lot 80 south to the southeastern corner of Lot 426 to the southwestern corner of Lot 427.

Walnut Street, from the northeastern corner of Lot 39 and the northwestern corner of Lot 40 south to the southeastern corner of Lot 406 to the southwestern corner of Lot 407.

Maple Blvd., from the points at which its northernmost and southernmost rights-of-way intersect with the East right-of-way of Alabama Highway 133 and running East to its intersection with a line running North and South and described as beginning at the southeastern corner of the West 17' of Lot 448 and running South to the point at which it intersects the southern right-of-way of Maple Blvd. That certain East-West alley beginning at the southwestern corner of Lot 365 and the Northwestern corner of Lot 570 and running east to the southeastern corner of the West 17' of Lot 249 and the Northeastern corner of the West 17' of Lot 628.

The undersigned, William R. Aycock, Sandra F. Aycock, Norma Jane Elledge, Ashley N. Elledge, and Andy Elledge, hereby request that the City Council of Muscle Shoals consent to, approve, ratify, and confirm the vacation of the above described alleys and streets and, further, to authorize conveyance by quit-claim deed, to the Petitioners of all the right, title, and interest of the City of Muscle Shoals, Alabama, in and to the hereinabove described alleys and streets.

IN WITNESS WHEREOF, the undersigned has hereunto set his hands and seals as of this the 3rd day of May 2019.

s/ William R. Aycock
William R. Aycock

STATE OF ALABAMA
COLBERT COUNTY

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that William R. Aycock, whose name is signed to the foregoing, and who is known to me, personally appeared before me and acknowledged that, being informed of the contents of the foregoing, he signed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 3rd day of May, 2019.

s/ Tasha L. Bratton
NOTARY PUBLIC

My Commission Expires: 6/26/19

S E A L

IN WITNESS WHEREOF, the undersigned has hereunto set her hand and seal as of this the 3rd day of May, 2019.

s/ Sandra F. Aycock
Sandra F. Aycock

STATE OF ALABAMA
COLBERT COUNTY

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Sandra F. Aycock, whose name is signed to the foregoing, and who is known to me, personally appeared before me and acknowledged that, being informed of the contents of the foregoing, she signed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 3rd day of May, 2019

s/ Tasha L. Bratton
NOTARY PUBLIC

My Commission Expires: 6/26/19

S E A L

IN WITNESS WHEREOF, the undersigned has hereunto set her hand and seal as of this the 3rd day of May, 2019.

s/ Norma Jane Elledge
Norma Jane Elledge

STATE OF ALABAMA
COLBERT COUNTY

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Norma Jane Elledge, whose name is signed to the foregoing, and who is known to me, personally appeared before me and acknowledged that, being informed of the contents of the foregoing, she signed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 3rd day of May, 2019.

s/ Tasha L. Bratton

NOTARY PUBLIC

My Commission Expires: 6/26/19

S E A L

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal as of this the 7 day of May, 2019.

s/ Ashley N. Elledge

Ashley N. Elledge

STATE OF ALABAMA
COLBERT COUNTY

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Ashley N. Elledge, whose name is signed to the foregoing, and who is known to me, personally appeared before me and acknowledged that, being informed of the contents of the foregoing, he signed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 7 day of June, 2019.

s/ Stacy Aycock Johnson

NOTARY PUBLIC

My Commission Expires: 6/25/19

S E A L

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal as of this the 7 day of May, 2019.

s/ Andy Elledge

Andy Elledge

STATE OF ALABAMA
COLBERT COUNTY

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Andy Elledge, whose name is signed to the foregoing, and who is known to me, personally appeared before me and acknowledged that, being informed of the contents of the foregoing, he signed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 7 day of June, 2019.

s/ Stacy Aycock Johnson

NOTARY PUBLIC

My Commission Expires: 6/25/19

S E A L

**STATE OF ALABAMA
COLBERT COUNTY**

RESOLUTION NUMBER 3011 - 19

WHEREAS, William R. Aycock, Sandra F. Aycock, Norma Jane Elledge, Ashley N. Elledge, and Andy Elledge have presented to the City Council of Muscle Shoals, Alabama, a written petition, duly executed and acknowledged, setting forth that they are the owners of all unvacated lots in Central Park Subdivision, as recorded in Map Book 2, Page 251, in the Office of the Judge of Probate of Colbert County, Alabama; and

WHEREAS, the City Council of Muscle Shoals, Alabama, a municipal corporation, has been requested to assent to and approve the vacation of the plat of the said Central Park Subdivision and the streets and alleys located therein and described hereinbelow, same lying within a boundary described as follows:

A portion of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 7, Township 4 South, Range 10 West, more particularly described as follows:

Beginning at the Southwest corner of Northwest $\frac{1}{4}$ of said Section 7; thence run east 2093 feet to the Southwest corner of the parcel of land which was conveyed to William R. Aycock and wife, by deed recorded in Deed Book 361, Page 55; thence run north along the west line of said Aycock tract and along the west line of tract of land conveyed to Samuel E. Elledge and wife, by deed recorded in Deed Book 365, Page 194, a distance of 798.6 feet to the northwest corner of said Elledge tract; thence run west 2093 feet to a point on the west line of the northwest $\frac{1}{4}$ of said Section 7; thence run south 798.6 feet to the point of beginning, containing 38.37 acres, more or less.

ALSO:

A portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and a portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, Township 4 South, Range 10 West, Colbert County, Alabama, and being more fully described as follows: Beginning at the center of said Section 7, thence N $88^{\circ} 05' W$ a distance of 547' to a point; thence North a distance of 399.3' to a point; thence S $88^{\circ} 05' E$ a distance of 877' to a point; thence South a distance of 399.3' to a point; thence N $88^{\circ} 05' W$ a distance of 330' to the point of beginning of the tract herein described and containing 8.04 acres more or less.

ALSO:

A portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and a portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T-4-S, R-10-W, Colbert County, Alabama, and being more fully described as follows: Commence at the center of the said Section 7; thence N $88^{\circ} 05' W$ a distance of 547' to a point; thence North a distance of 399.3' to the point of beginning of the tract herein described; thence continue North a distance of 399.3' to a point; thence S $88^{\circ} 05' E$ a distance of 877' to a point; thence South a distance of 399.3' to a point; thence N $88^{\circ} 05' W$ a distance of 877' to the point of beginning of the tract herein described and containing 8.04 acres, more or less.

The property described above encompasses the following lots, streets, and alleys, shown and designated on the plat of Central Park Subdivision, and the same are hereby declared to be vacated:

Lots 6-122, 249-365, 390-448, and 511-628, all inclusive, in Central Park Subdivision, as the same appears in Map Book 2, Page 251, in the Office of the Judge of Probate of Colbert County, Alabama, together with all streets and alleys abutting the same, being:

Main Street, from the points at which its northernmost and southernmost rights-of-way intersect with the East right-of-way of Alabama Highway 133 and running East to its intersection with a line running North and South and described as beginning at the southeastern corner of the West 17' of Lot 122 and ending at the northeastern corner of the West 17' of Lot 249. Poplar Drive, from the points at which its northernmost and southernmost rights of-way intersect with a line running North and South and described as beginning at the southeastern corner of the West 17' of Lot 628 and ending at the northeastern corner of Lot 511, running east to the points at which its northernmost and southernmost rights-of-way intersect with the East right-of-way of Alabama Highway 133.

Maple Blvd., from the points at which its northernmost and southernmost rights-of-way intersect with the East right-of-way of Alabama Highway 133 and running East to its intersection with a line running North and South and described as beginning at the southeastern corner of the West 17' of Lot 448 and running South to the point at which it intersects the southern right-of-way of Maple Blvd.

Oak Street, from the southeastern corner of Lot 446 and southwestern corner of Lot 447, north to the northeastern corner of Lot 119 and the northwestern corner of Lot 120.

Cherry Street, from the northeastern corner of Lot 79 and the northwestern corner of Lot 80 south to the southeastern corner of Lot 426 to the southwestern corner of Lot 427.

Walnut Street, from the northeastern corner of Lot 39 and the northwestern corner of Lot 40 south to the southeastern corner of Lot 406 to the southwestern corner of Lot 407.

That certain East-West alley beginning at the southwestern corner of Lot 365 and the Northwestern corner of Lot 570 and running east to the southeastern corner of the West 17' of Lot 249 and the Northeastern corner of the West 17' of Lot 628;
and

WHEREAS, the City Council of Muscle Shoals, Alabama does hereby find that vacation of the plat of Central Park Subdivision and the streets and alleys located therein will not affect

any person's access to or from his property; however, any easement previously reserved for utility services shall remain.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MUSCLE SHOALS, ALABAMA, a municipal corporation, that the act of William R. Aycock, Sandra F. Aycock, Norma Jane Elledge, and Ashley N. Elledge, and Andy Elledge in vacating and annulling the above described plat and the streets and alleys located therein, be and the same is hereby ratified, approved, and confirmed and its assent is hereby given subject to existing easements for installation and maintenance of utilities.

BE IT FURTHER RESOLVED that the City of Muscle Shoals, Alabama, a municipal corporation, remise, release, and quit-claim the above-described property to William R. Aycock, Sandra F. Aycock, Norma Jane Elledge, Ashley N. Elledge, and Andy Elledge, whatever right, title, and interest the City of Muscle Shoals may have acquired in and to the streets and alleys above-described, and that the Mayor is hereby authorized to execute a quit-claim deed to William R. Aycock, Sandra F. Aycock, Norma Jane Elledge, Ashley N. Elledge, and Andy Elledge, for and on behalf of the City of Muscle Shoals, Alabama.

Council Member Sockwell seconded the motion and upon said motion being put to a vote, the following vote was recorded:

Ayes: Council Member Hall, Council Member Willis, Council Member Lockhart,
Council Member Sockwell , Council Member Noles

Nays: 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 declare certain equipment in the Fire Department surplus and authorize its donation to the City of Tuscumbia.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3012 - 19

WHEREAS, the City Council has been informed by the Fire Chief that certain hydraulic reels and hoses hereinafter described previously used in the performance of duties at the Muscle Shoals Fire Department are no longer required for use by City personnel; and

WHEREAS, the City Council has determined that the said hydraulic reels and hoses are surplus property and the City has no further use for hydraulic reels and hoses due to their obsolescence it is not economical for the City to retool or refit the said hydraulic reels and hoses

in order that it be able to be placed in service in the Fire department;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama that the following described certain hydraulic reels and hoses be declared surplus property and be disposed of by the Fire Chief 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 certain hydraulic reels and hoses and the Council does hereby authorize the Fire Chief to dispose of said certain hydraulic reels and hoses in such manner. The Council finds that the following hydraulic reels and hoses are surplus property:

Dual Nordic Systems hydraulic reels and hoses, Model E1010T-19-6-25BC
Two Hanney reels - Model EF2016-17-18LXH10.5H

BE IT FURTHER RESOLVED that the Fire Chief is authorized to take the steps necessary to donate the above described certain hydraulic reels and hoses to the City of Tuscumbia in a manner consistent with the terms and conditions and pursuant to this Resolution; and

BE IT FURTHER RESOLVED that the hydraulic reels and hoses shall be delivered, to the City of Tuscumbia, and that all expenses of the transfer shall be borne by the City of Tuscumbia.

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 payment to the Alabama Music Hall of Fame to cover the cost of facilities rental for an event to provide support and relief to victims of the February flooding in the city.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3013 - 19

WHEREAS, the City of Muscle Shoals, Alabama experienced severe flooding within the City on or about February 25, 2019 causing damage to homes and property of its citizens; and

WHEREAS, an event is scheduled to provide relief and information to the citizens who experienced damage from the flood event to be held at the Alabama Music Hall of Fame; and

WHEREAS, the City Council of the City of Muscle Shoals is desirous of supporting said event so as its affected citizens can meet and discuss the issues surrounding the flood event and finds that such expenditure as herein set forth is for a public purpose in and for the benefit of its citizenry;

NOW, THEREFORE, the premises considered, **BE IT HEREBY RESOLVED** that the City Council of the City of Muscle Shoals, Alabama, does hereby authorize, approve and ratify the expenditure in the amount of Five Hundred and no/100 (\$500.00) Dollars, payable to the Alabama Music Hall of Fame for rental of the facility on May 11, 2019 and direct the Clerk of the City, for and on behalf of the City, to pay said amount directly to the Alabama Music Hall of Fame.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be prepared forthwith by the Clerk and furthermore shall retain a copy to be kept on file by the said 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.

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

