

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
August 5, 2019**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:20 p.m. on the 5th day of August, 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, 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. 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 July 15, 2019 and approved the minutes as written.

President Noles announced that the next item of business was consideration of a resolution to award a bid for a knuckle boom loader and truck.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3023-19

WHEREAS, the City Council of the City of Muscle Shoals, Alabama approved the purchase of one (1) new, chassis with knuckleboom limb/brush loader to be utilized at Muscle Shoals Public Works; and

WHEREAS, the Procurement Agent did send out advertisements for bids for the purchase of a chassis with knuckleboom brush/limb loader, the bid opening being held August 02, 2019 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

<u>BIDDER:</u>	<u>BID PRICE:</u>
Sansom Equipment Company	\$127,189.00

WHEREAS, the apparent lowest, responsive and responsible bidder after evaluation of the submitted bid(s), has been determined as Sansom Equipment Company with a total bid price of \$127,189.00 for the purchase of a new, chassis with knuckleboom limb/brush loader unit; now

THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals that the apparent lowest, responsive and responsible bidder, Sansom Equipment Company is now awarded the bid for the purchase of a new, chassis with knuckleboom limb/brush loader unit for the total purchase price of \$127,189.00.

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 to set a public hearing to consider the adoption of an Ordinance to amend the Zoning Ordinance and Map of the City of Muscle Shoals, Alabama. President Noles announced that at a meeting to be held at the City Hall in said City at 6:00 p.m. on the 3rd day of September, 2019, the Council will consider the adoption of an Ordinance to amend the Zoning Ordinance and Zoning Map of said City, the proposed Ordinance being as follows:

ORDINANCE NO. _____
AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND
ZONING MAP OF THE CITY OF MUSCLE SHOALS, ALABAMA

Be it ordained by the Council of the City of Muscle Shoals, Alabama, that the Zoning Ordinance and the Zoning Map of the City of Muscle Shoals, are hereby amended as follows:

That the following described area which are currently zoned R-2 and is hereby incorporated in and made a part of the B-1 District, to wit:

Lots 4675 Thru 4680 Highland Park Subdivision #12

At said time and place, all persons who desire to do so shall have an opportunity of being heard in opposition to or in favor of the adoption of such Ordinance.

President Noles announced that the next item of business was a request for the vacation of certain streets and alleyways in the Commercial Heights Subdivision as requested by the Muscle Shoals Electric Board.

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

STATE OF ALABAMA
COLBERT COUNTY

PETITION TO VACATE

Comes now the undersigned, The Electric Board of the City of Muscle Shoals, hereinafter referred to as Petitioner, and presents unto the City Council as follows:

That Petitioner is the owner of all of the property abutting upon the following described street and alleys and that it desires to vacate said street and that it does, by this statement, vacate the same, lying, being and situated in Muscle Shoals, Colbert County, Alabama, and more particularly described as follows, to-wit:

All of that portion of that certain East West alley abutting lots 13 through 82, inclusive in Block 5;

Also all of that portion of Broadway Street abutting Lots 48 through 82, inclusive in Block 5 and Lots 13 through 47, inclusive in Block 4;

Also all of that certain East West alley abutting Lots 13 through 47, inclusive in Block 4 and Lots 48 through 82, inclusive in Block 4.

All of which is located in Commercial Heights Subdivision, a subdivision known and designated according to the map and plat thereof, recorded in the Office of the Judge of Probate of Colbert County, Alabama, in Map Book 2, Page 11.

That the undersigned Petitioner desires to vacate the above described street and alleys and to close the above described street and alleys to nullify the effect of the dedication of said street and alleys to the use of the public.

NOW, THEREFORE, in consideration of the premises, Petitioner hereby request that the City Council of the City of Muscle Shoals, authorize and direct the Honorable David H. Bradford, Mayor of the City of Muscle Shoals, to execute a quit-claim deed to The Electric Board of the City of Muscle Shoals, by which deed the City Council of the City of Muscle Shoals shall remise, release and quit-claim unto The Electric Board of the City of Muscle Shoals, whatever right, title and interest the City of Muscle Shoals may have acquired in and to the hereinabove described streets and alleys by virtue of the vacation of the same, or otherwise, and that the City Clerk be authorized and directed on behalf of the City Council of the City of Muscle Shoals to attest the same.

IN WITNESS WHEREOF, Petitioner has hereunto set its hand and seal this the 8th day of July, 2019.

THE ELECTRIC BOARD OF THE CITY OF
MUSCLE SHOALS

By: s/ Rodney Howard
Chairman of the Board

ATTEST:

Its Secretary

STATE OF ALABAMA
COLBERT COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Rodney Howard, whose name as Chairman of the Electric Board of the City of Muscle Shoals is signed to the foregoing Petition and who is known by me, acknowledged before me on this day that, being informed of the contents of the Petition, he as such officer and with full authority executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 8th day of July, 2019.

s/ Tiffany Rawlings
Notary Public
My Commission expires 6-25-23

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3024 - 19

WHEREAS, The Electric Board of the City of Muscle Shoals, has presented to the City Council of the City of Muscle Shoals, its statement in writing, duly executed and acknowledged setting forth that it is the owner of all of the lands abutting upon the hereinafter described streets and alleys and that it desires to vacate said streets and alleys and it does by said statement, vacate the same.

WHEREAS, the aforesaid Petitioner, as the owner of all property abutting the said portions of the streets and alleys to be vacated, having complied with all the requirements of Ordinances of the City of Muscle Shoals, Alabama relating to the vacation of streets, public alleys, lots, and blocks within the City of Muscle Shoals, Alabama, and

WHEREAS, the City Council of the City of Muscle Shoals, Alabama, has determined that the convenient means of ingress and egress to and from their property is afforded to all other property owners owning property in the tract of land embraced in the map, plat or survey within which the above described streets and alleys are located, such means of ingress and egress being

afforded by the remaining dedicated streets and public alleys in the area.

WHEREAS, the City Council of the City of Muscle Shoals, does assent to, and approve the vacation thereof, and the annulment of the dedication of said streets and alleys to the use of the public.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Muscle Shoals, that the act of the aforementioned party in vacating and annulling the following described streets and alleys in Muscle Shoals, Colbert County, to-wit:

All of that portion of that certain East West alley abutting lots 13 through 82, inclusive in Block 5;

Also all of that portion of Broadway Street abutting Lots 48 through 82, inclusive in Block 5 and Lots 13 through 47, inclusive in Block 4;

Also all of that certain East West alley abutting Lots 13 through 47, inclusive in Block 4 and Lots 48 through 82, inclusive in Block 4.

All of which is located in Commercial Heights Subdivision, a subdivision known and designated according to the map and plat thereof, recorded in the Office of the Judge of Probate of Colbert County, Alabama, in Map Book 2, Page 11.

Be and the same is hereby ratified, approved, confirmed and assented to be by the City Council of the City of Muscle Shoals.

BE IT FURTHER RESOLVED that the City of Muscle Shoals, Alabama, a municipal corporation remise, release and quit-claim to the aforesaid party, whatever right, title and interest the said City of Muscle Shoals, Alabama, a municipal corporation may have acquired in and to the hereinabove described part or portion of the hereinabove named streets and alleys by virtue of the dedication or the vacation of said part or portion of said streets and alleys, or otherwise, and that the City of Muscle Shoals, a municipal corporation execute a quit-claim deed to the aforementioned party carrying out the intention of this paragraph and that Richard L. Williams, City Clerk, be and he is hereby authorized and directed on behalf of the City of Muscle Shoals, Alabama, a municipal corporation to attest the same.

The purpose of this Resolution is to assent to the proposed vacation; however, the City Council of the City of Muscle Shoals does not hereby make a determination as to the validity or the legality of the vacation.

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 appoint a member to the Zoning Board of Adjustment.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3025 - 19

WHEREAS, the term of a member of the Zoning Board of Appeals of the City of Muscle Shoals expired in December 2018, and the City Council being desirous of making the necessary appointment to said board within the City;

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, and is eligible for appointment to fill the pending vacancy:

Dustin Parrish

WHEREAS, was the sole applicant for appointment to the board and otherwise qualified to serve on the board, and

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

Council Member Hall: Dustin Parrish
Council Member Willis: Dustin Parrish
Council Member Lockhart: Dustin Parrish
Council Member Sockwell: Dustin Parrish
Council Member Noles: Dustin Parrish

WHEREAS, Council President Noles announced that Dustin Parrish 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>
Dustin Parrish	Appeals Board	December 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 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 motion for approval of the resolution was passed and adopted unanimously.

President Noles announced that the next item of business was the selection of individuals for nomination to the Colbert County Board of Equalization.

It was noted that the City was entitled to make three nominations for the Board.

Council Member Lockhart moved that Larry "Butch" Whitehead be nominated. 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 motion for approval was approved unanimously.

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

