

**MINUTES FROM A WORK SESSION OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
August 19, 2024**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 5:00 p.m. on the 19<sup>th</sup> day of August 2024. The following members were found to be present or absent, as indicated:

PRESENT: CHRIS HALL, GINA CLARK, WILLIS THOMPSON, KEN  
SOCKWELL, DAVID MOORE  
ABSENT: NONE

Eileen Nunnely addressed the council to discuss the role of The Caring Place in the community. She highlighted that the organization currently services five elderly citizens in Muscle Shoals. She expressed her gratitude to the City for the appropriations provided last year, which were instrumental in supporting their efforts. She also requested \$10,000 for the upcoming budget to continue providing these essential services.

Brandy and Mariano Moreno, along with Dawn Woodall, Director of Parks and Recreation, presented their ideas for Cypress Lakes to the council. They proposed several strategies to help generate revenue by managing events at Cypress Lakes. Their suggestions included enhanced marketing efforts for the event space to attract more bookings. Additionally, they offered a 50/50 revenue split with the City on all event space rentals, which they believe would benefit both the City and the community by maximizing the use of the facilities.

Scott Clayton, Cypress Lakes General Manager, addressed the council to discuss the public rates at Cypress Lakes. He highlighted the need to increase and adjust the rates, noting that they have remained unchanged for several years. He emphasized that the proposed rate increase is essential to ensure the golf course is maintained at its best, allowing for continued high-quality service and upkeep of the facilities.

Dawn Woodall discussed plans for the Lions Club building with the council. She explained that the building has deteriorated to the point where it can no longer be used safely or effectively. As a result, she requested permission to tear down the existing structure. She proposed replacing it with a pavilion that would be available for community use, offering a versatile and functional space for various events and activities.

Butch Fleming, Director of Public Works, discussed the purchase of a trailer. He explained that the department lost a trailer due to a wreck that occurred some time ago, which has impacted their ability to transport various equipment essential for operations.

Brad Williams discussed two resolutions on the agenda. He discussed the resolution approving the Land Lease and Solar Easement to SRAP Solar, LLC., outlining the terms and potential benefits for

the City. He also discussed the agreement related to reimbursing any expenses that the City of Sheffield might incur due to moving utilities for the widening of Second Street.

Brittney Walker, City Clerk, discussed a resolution that would approve a reimbursement resolution allowing the City to pay any expenses related to the new sports facility out of reserves. She explained that these expenses would be covered by reserve funds until the new bond is completed, at which point the reserves will be reimbursed using the bond proceeds. This approach ensures that the project can proceed without delay while maintaining the City's financial stability.

Kathi Riley, Procurement Agent, discussed the need to surplus a 2007 Trailblazer that is no longer utilized by Parks and Recreation. She explained that the vehicle is no longer needed for departmental operations and proposed its surplus to free up resources and possibly generate funds for other uses.

The council reviewed agenda items.

There being no further business the meeting was adjourned at 5:55 p.m.

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:



Brittny Walker, City Clerk/Treasurer

**MINUTES FROM A REGULAR MEETING  
OF THE COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
August 19, 2024**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 5:55 p.m. on the 19<sup>th</sup> day of August 2024 being the scheduled place for said meeting once the previously held work session ended. The meeting was called to order by Ken Sockwell, Council President. On roll call the following members were found to be present or absent, as indicated:

PRESENT: CHRIS HALL, GINA CLARK, WILLIS THOMPSON, KEN  
SOCKWELL, DAVID MOORE

ABSENT: NONE

Ken Sockwell, Council President, 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 Mike Lockhart was also present. Brittney Walker, City Clerk/Treasurer, was present and kept the minutes of the meeting.

The invocation was given by James Vance. President Ken Sockwell led in the pledge of allegiance.

Upon motion duly made by Council Member Clark and seconded by Council Member Thompson and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of August 5<sup>th</sup>, 2024, and approved the minutes as written.

Mayor Lockhart began by recognizing the 10U All-Star Team for their outstanding achievement in winning the World Series. He expressed his appreciation for their hard work and dedication, which brought great pride to the City. The Mayor also extended a special thank you to Lee McIntyre for his significant contributions and efforts in supporting the team's success. Next, the Mayor acknowledged the recent success of the new officers who graduated from the police academy. He congratulated them on their accomplishments and emphasized the positive impact they will have on the community. The Mayor then expressed his gratitude to the fire department for their swift and effective response in assisting with the plant fire in Barton. Lastly, the Mayor discussed the Economic Development Authority with the council.

President Sockwell announced that the next item of business was consideration of approving a resolution for a reimbursement resolution for warrants used for acquiring, constructing, and equipping certain capital improvement within the City related to sports and recreation. Council Member Moore made a motion to approve the resolution; Council Member Hall seconded that motion.

**REIMBURSEMENT RESOLUTION 3335-24**

Whereas, the City of Muscle Shoals, Alabama (the "Issuer") may issue one or more series of warrants within the next six months (the "Warrants") for the purposes of acquiring, constructing, and

equipping certain capital improvements within the City, which may include sports and recreation facilities and capital utility infrastructure to support such facilities and/or adjacent development property (the "Improvements").

Whereas, the Issuer, through its governing body, has determined that it may be in the best public and financial interest of the Issuer to begin certain activities relative to the Improvements prior to the issuance of the Warrants.

Whereas, in the event the Issuer begins such activities prior to the issuance of the Warrants, it is the Issuer's official intent to reimburse its General Fund for such expenditures from a portion of the proceeds of the Warrants.

NOW THEREFORE BE IT RESOLVED AND ORDERED BY THE ISSUER AS FOLLOWS:

1. The Issuer hereby declares and reaffirms its official intent, pursuant to Treas. Reg. Section 1.150-2, to reimburse any prior expenditure by the Issuer for the Improvements from a portion of the proceeds of the Warrants. Prior to the issuance of the Warrants, any funds spent by the Issuer for the Improvements are expected to be from the General Fund of the Issuer.

2. The aggregate principal amount of the Warrants is expected to be approximately \$65,000,000.00. The maximum amount for which the Issuer expects to reimburse the Issuer's General Fund from the proceeds of the Warrants is approximately \$1,250,000.00.

3. Any reimbursements to the Issuer with respect to the Improvements are expected to be made on or before the later of the date eighteen months after the expenditure is paid or after the property is placed in service. Any reimbursable prior expenditure shall be for engineering, architectural or other preliminary expenses as recognized in Section 1.150-2(f) or shall be a capital expenditure properly chargeable to a capital account (or would be so chargeable with a proper election such as an election under Section 266) under general federal income tax principles.

4. Any action heretofore taken by the Issuer in connection with the Improvements is hereby ratified and confirmed.

Duly adopted this 19 day of August, 2024.

President Sockwell stated that approval of the motion and second was before the Council. Those in favor of the application would indicate so by voting aye and those opposed would indicate by voting nay. Upon said question being put to a vote, a roll call was had, and the vote recorded as follows:

AYES: All

NAYS: None

President Sockwell announced that the next item of business was consideration of approving a resolution for an agreement between the City of Muscle Shoals and the City of Sheffield for repayment of expenses due to the widening of second street. Council Member Moore made a motion to approve the resolution; Council Member Hall seconded that motion.

#### **RESOLUTION 3336-24**

WHEREAS, improvements are being made to the widening of Second Street, designated as ATRP2-17-2022-360; and

WHEREAS, Sheffield Utilities has a force main sewer located on the north side of Second Street that must be moved and relocated for the improvements of the project to proceed; and

WHEREAS, Sheffield Utilities will incur expenses due to the movement and relocation of the force main sewer from its present location; and

WHEREAS, the City of Muscle Shoals, Alabama, is agreeable to reimbursing the City of Sheffield, Alabama, doing business as Sheffield Utilities, for the costs and expenses incurred by the relocation of the force main sewer on the north side of Second Street;

NOW, THEREFORE, BE IT RESOLVED by the parties hereto as follows:

1. The City of Muscle Shoals, Alabama, shall reimburse the City of Sheffield, Alabama, doing business as Sheffield Utilities, for all necessary and reasonable expenses incurred in connection with the relocation of the force main sewer presently located on the north side of Second Street.
2. The parties hereto agree and confirm that each has the authority to enter into this Agreement.

Adopted and approved this 19<sup>th</sup> day of August 2024.

President Sockwell stated that approval of the motion and second was before the Council. Those in favor of the application would indicate so by voting aye and those opposed would indicate by voting nay. Upon said question being put to a vote, a roll call was had, and the vote recorded as follows:

AYES: All

NAYS: None

President Sockwell announced that the next item of business was consideration of approving a resolution for the surplus of the 2007 Trailblazer from Parks and Recreation. Council Member Moore made a motion to approve the resolution; Council Member Hall seconded that motion.

#### **RESOLUTION NUMBER 3337-24**

**WHEREAS**, the City Council has been informed by the Parks and Recreation Manager

that a 2007 Chevrolet Trailblazer being designated as 1GNDS135672214995 hereinafter as

described and previously used in the performance of duties at the Muscle Shoals Parks and

Recreation Department is no longer required for use by the City personnel; and

**WHEREAS**, the City Council has determined that the said item of property is surplus

property and the City has no further use for said item of property due to its age and condition

and it is not economical for the City to retool or refit the said item of property in order that it

be able to be placed in service in the performance of city business;

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Muscle

Shoals, Alabama does hereby determine that the following described vehicle thereto be declared

surplus property and disposed of by the Parks and Recreation Manager 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 item of property; and the Council does hereby authorize the

Parks and Recreation Manager to dispose of said equipment as surplus property and the Council

so finds the following equipment is surplus property:

2007 Chevrolet Trailblazer being designated as 1GNDS13567214995

**BE IT FURTHER RESOLVED** that the Parks and Recreation Manager is authorized

to take steps necessary to convey the above-described surplus property to Wilcox County Water

and Sewer for the sum of \$2,500.00 and in a manner consistent with the terms and

conditions and pursuant to this resolution; and



**BE IT FURTHER RESOLVED**, that in consideration of the conveyance to and acceptance of said surplus property Wilcox County Water and Sewer shall release the City of

Muscle Shoals, Alabama from all liability, damage, claim, loss or expense, in the operation of

said vehicle herein described.

**ADOPTED AND APPROVED** this 19<sup>th</sup> day of August 2024.

President Sockwell stated that approval of the motion and second was before the Council. Those in favor of the application would indicate so by voting aye and those opposed would indicate by voting nay. Upon said question being put to a vote, a roll call was had, and the vote recorded as follows:

AYES: All

NAYS: None

President Sockwell announced that the next item of business was consideration of approving a resolution for the Land Lease and Solar Easement with SRAP Solar, LLC. Council Member Moore made a motion to approve the resolution; Council Member Hall seconded that motion.

**RESOLUTION NO. 3337-24**

**A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF MUSCLE SHOALS, ALABAMA, TO ENTER INTO A LAND LEASE AND SOLAR EASEMENT AGREEMENT WITH SIXTH STREET SOLAR, LLC**

WHEREAS, the City of Muscle Shoals, Alabama, hereinafter referred to as "City," is the owner of certain real property legally described in Exhibit A attached hereto and made a part of this resolution (the "Premises"); and

WHEREAS, Sixth Street Solar, LLC, an Alabama limited liability company, hereinafter referred to as "Project Company," desires to lease the Premises for the purpose of monitoring, testing, evaluating, and constructing solar energy generating facilities; and

WHEREAS, the City recognizes the environmental and economic benefits of facilitating the development of solar energy within its jurisdiction, and desires to enter into a Land Lease and Solar Easement Agreement (the "Lease") with Project Company to support the development of solar energy on the Premises; and

WHEREAS, the City finds that entering into this Lease is in the best interest of the City and its residents;

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

### **Section 1. Authorization to Enter into Lease**

The City Council hereby authorizes and directs the Mayor of the City of Muscle Shoals, Alabama, to execute and deliver, in the name and on behalf of the City, the Land Lease and Solar Easement Agreement with Sixth Street Solar, LLC, substantially in the form attached hereto as Exhibit B, with such changes, insertions, and omissions as may be approved by the Mayor, the execution of said agreement being conclusive evidence of such approval.

### **Section 2. Lease Terms**

The Lease shall include the following terms:

1. **Premises:** The real property legally described in Exhibit A, attached hereto.
2. **Purpose:** The Premises shall be leased to Project Company for solar energy purposes, including the construction, development, installation, and operation of solar energy generating equipment and related facilities.
3. **Solar Facilities:** The Lease shall permit Project Company to install and maintain solar energy generating equipment, electrical transmission lines, energy storage facilities, telecommunications equipment, power generation facilities, substations, roads, and related improvements on the Premises.
4. **Term:** The term of the Lease shall commence on the Effective Date and continue in accordance with the terms specified in the Lease.

### **Section 3. Effective Date**

This resolution shall become effective immediately upon its adoption by the City Council of Muscle Shoals, Alabama.

ADOPTED and APPROVED this 19 day of August, 2024.

President Sockwell stated that approval of the motion and second was before the Council. Those in favor of the application would indicate so by voting aye and those opposed would indicate by voting nay. Upon said question being put to a vote, a roll call was had, and the vote recorded as follows:

AYES: All

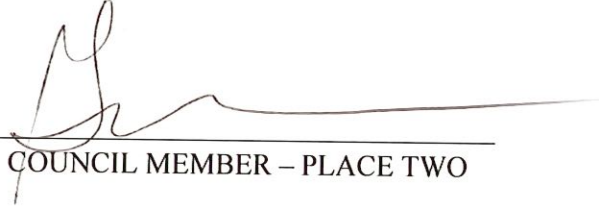
NAYS: None

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



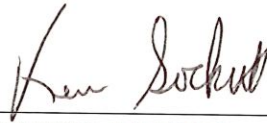
COUNCIL MEMBER – PLACE ONE



COUNCIL MEMBER – PLACE TWO



COUNCIL MEMBER – PLACE THREE



COUNCIL MEMBER – PLACE FOUR



COUNCIL MEMBER – PLACE FIVE

ATTEST:



Brittney Walker, City Clerk/Treasurer