

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
November 19, 2018**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:15 p.m. on the 19th day of November, 2018 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. 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 Hall and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of November 13, 2018 and approved the minutes as written.

Mayor Bradford noted the Christmas parade will be December 11th at 7:00 pm.

Mr. Leon Madden, 203 Elliott was recognized and addressed the Council.

President Noles announced that the next item of business was approval of an amendment to the job description for General Manager - Cypress Lakes. Council Member Hall moved that the job description be approved as presented. 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 job description had been amended.

President Noles announced that the next item of business was consideration of a resolution approving the lease of golf carts for the Cypress Lakes Golf Course.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2985-18

WHEREAS, the City Council of the City of Muscle Shoals, Alabama approved the leasing of a golf car fleet for a 36-month period; and

WHEREAS, the Procurement Agent advised that a purchasing cooperative contract eliminating the need for further formal, sealed bidding has been approved by the State of Alabama and is valid for such purchase/lease; and

WHEREAS, the Procurement Agent further advised that the lease price for sixty-four (64) Yamaha fleet cars is \$4272.00 per month for 36-months, and one (1) Yamaha range unit is \$195.00 per month for thirty-six (36) months, to be leased from Yamaha Commercial Customer Finance, and further that Yamaha Golf-Car Company is the awarded contractual vendor for said items with Sourcewell (formerly NJPA), a State of Alabama approved purchasing cooperative; now

THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals that Yamaha Golf-Car Company, the contractual vendor of Sourcewell (formerly NJPA) is now hereby awarded the monthly lease of 64 (64) fleet cars and one (1) Range unit for the total monthly lease amount of \$4467.00 per month for a 36-month lease period.

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 request by Roger W. Rich for the vacation of a portion of a 50 foot right of way in Snowdown Subdivision #1.

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

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2986-18

WHEREAS, Roger Wayne Rich, has presented to the City Council of the City of Muscle Shoals, Alabama, his statement in writing, duly executed and acknowledged, setting forth that the

owner of all of the lands abutting upon the hereinafter described portion of an alleyway and street in Snowdown Subdivision, a subdivision in the City of Muscle Shoals, Alabama, have consented to said vacation and that they desire to vacate said property and that they do, by said statement, vacate the same.

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Muscle Shoals, Alabama, that the act of the forenamed parties in vacating and annulling the following described portion of an alleyway in Snowdown Subdivision, a subdivision in the City of Muscle Shoals, Alabama in the City of Muscle Shoals, Alabama, to-wit:

All of that certain alleyway as shown on the plat of "Snowdown Subdivision Number 1" according to the map of said Subdivision recorded in the Office of the Judge of Probate of Colbert County, Alabama, in Plat Book 4, at Page 161 and more particularly described as follows, to wit: Commence at the Southwest corner of Lot Number 4 in said Subdivision; thence run East 147 feet to the Southeast corner of said lot; thence run South a distance of 50 feet to the Northeast corner of Lot Number 5 in said Subdivision; thence run West 147 feet to a point on the Easterly boundary of Firestone Avenue and the Northwest corner of said lot; thence run North 50 feet to the point of beginning, reserving, however, an easement 20 feet in width being 10 feet on either side of an existing gas line in favor of the City of Muscle Shoals, Alabama, for access to and maintenance of the same..

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

BE IT FURTHER RESOLVED, that the City of Muscle Shoals, Alabama, a municipal corporation remise, release and quit-claim to the aforesaid parties, 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 alleyway by virtue of the dedication of said property as a public alleyway and street, or otherwise, and that Mr. David H. Bradford, Mayor of the City of Muscle Shoals, Alabama, a municipal corporation, execute a quit-claim deed to the forenamed parties 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, Alabama does not hereby make a determination as to the validity or the legality of the vacation.

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 request by Michael and Susan Hall for the abandonment of a portion of easements on Lot # 1 Block D of Jackson Heights Addition Number 6 Subdivision.

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

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2987 - 18

WHEREAS, the City Council of the City of Muscle Shoals, Alabama has reviewed a recommendation from the City's Building Department for an abandonment of a portion of easements pertaining to Lot 1, Block D, JACKSON HEIGHTS ADDITION No. 6 Subdivision, a subdivision as shown on the plat thereof recorded in Map Cabinet B at Slide 97A in the Office of the Judge of Probate of Colbert County, Alabama; and

WHEREAS, the City's Building official has reviewed the request and determined that such an abandonment of the portion of the easements sought will not adversely affect the City's drainage or utility operations; and

WHEREAS, the City Council finds that other instruments and related documents may be required in connection with the said abandonment of the portion of the easements and is desirous of authorizing the execution and delivery of other instruments and related documents in connection with said request as herein above described;

BE IT HEREBY RESOLVED that the City Council of the City of Muscle Shoals, Alabama does hereby approve, consent to and ratify the abandonment of that certain portion of the easements hereinafter and does hereby abandon same, said portion of the easements abandoned hereby is more particularly described as follows, to wit:

The West 10' of the utility and drainage easement along the East side of Lot 1, Block D, Jackson Heights Addition Number 6 Subdivision, a subdivision as shown on the plat thereof recorded in Map Cabinet B at Slide 97-A in the Office of the Judge of Probate of Colbert County, Alabama; and

Also, The North 5' of the utility easement along the South side of Lot 1, Block D, Jackson Heights Addition Number 6 Subdivision, a subdivision as shown on the plat thereof recorded in Map Cabinet B at Slide 97-A in the Office of the Judge of Probate of Colbert County, Alabama

BE IT FURTHER 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 and any all documents that may be required or necessary to affect the abandonment of said portion of the said easements described herein for and on behalf of the City of Muscle Shoals, Alabama; and;

BE IT FURTHER RESOLVED that a certified copy of this Resolution be prepared forthwith by the Clerk and cause a copy of same to be filed for record in the Office of the Judge of Probate of Colbert County, Alabama; delivered to the various utility boards and departments within the City and furthermore shall retain a copy to be kept on file by the said Clerk.

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.

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