

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
February 22, 2021**

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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 22<sup>nd</sup> day of February, 2021 in a meeting rescheduled from February 15, 2021. 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. Ricky Williams, City Clerk, was present and kept the minutes of the meeting.

The invocation was given by City Clerk Ricky Williams. Mayor Mike Lockhart led in the pledge of allegiance.

Upon motion duly made by Council Member Thompson and seconded by Council Member Clark and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of February 1, 2021, and approved the minutes as written.

Mayor Lockhart commended the city departments for their response during the previous week's winter storm. He also commended the recreation staff for the success of the youth sports program, having received numerous positive comments from citizens. Mayor Lockhart also noted that interest in retail development was increasing in the city.

President Sockwell announced that the next item of business was the appointment of two members to the Zoning Board of Adjustment.

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

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NUMBER 3124 - 21**

**WHEREAS**, two terms on the Zoning Board of Adjustment have expired and the City Council being desirous of making the necessary appointments to said board;

**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:

Joseph "Skip" Nichols          Beth Pirtle          Freddy Saint  
Earnest "Pete" Waldrep

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

Council Member Hall: Beth Pirtle, Freddy Saint  
Council Member Clark: Beth Pirtle, Freddy Saint  
Council Member Thompson: Beth Pirtle, Joseph "Skip" Nichols  
Council Member Sockwell: Beth Pirtle, Freddy Saint  
Council Member Moore: Beth Pirtle, Freddy Saint

**WHEREAS**, Council President Sockwell announced that Beth Pirtle and Freddy Saint 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>
Freddy Saint	Zoning Board of Adjustment	December, 2023
Beth Pirtle	Zoning Board of Adjustment	December, 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.

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Council Member Clark seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the resolution had been approved.

President Sockwell announced that the next item of business was the appointment of a supernumerary member to the Zoning Board of Adjustment.

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

STATE OF ALABAMA

COLBERT COUNTY

**RESOLUTION NUMBER 3125 - 21**

**WHEREAS**, the position of supernumerary on the Zoning Board of Adjustment is vacant and the City Council being desirous of making the necessary appointment to said board;

**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:

Joseph "Skip" Nichols          Beth Pirtle          Freddy Saint

Earnest "Pete" Waldrep

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

Council Member Hall: Earnest "Pete" Waldrep

Council Member Clark: Joseph "Skip" Nichols

Council Member Thompson: Joseph "Skip" Nichols

Council Member Sockwell: Joseph "Skip" Nichols

Council Member Moore: Earnest "Pete" Waldrep

**WHEREAS**, Council President Sockwell announced that Joseph "Skip" Nichols has 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>
Joseph "Skip" Nichols	Zoning Board of Adjustment (Supernumerary)	December, 2023

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

Council Member Clark seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the resolution had been approved.

President Sockwell announced that the next item of business was consideration of a resolution to authorize the purchase of storm drainage pumps for the Shoals City pumping station from MWI Pumps through a sole source purchase.

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

**STATE OF ALABAMA**  
**COLBERT COUNTY**

**RESOLUTION NUMBER 3126 - 21**

WHEREAS, the City Council of the City of Muscle Shoals, Alabama has determined that the existing hydraulic pumps at the Shoals City Pumping Station are in need of replacement based upon the recommendation of the City Engineer; and

WHEREAS, the City Council finds the existing Shoals City Pumping Station was designed and constructed by MWI Pumps who is the sole manufacturer of the Hydraflow pumps and it is critical that the replacement pumps be compatible with existing drive units which were designed and constructed by MWI Pumps; and

WHEREAS, the City Council has determined that the pumps as constructed by MWI Pumps are needed to replace the pumps with unique Hydraflow pumps to insure that said pumps are compatible with the existing drive units at the Shoals City Pumping Station and are related to the intended purpose of repairing, replacing and maintaining the existing pumps located there; and other similar goods or services are not available to perform the objectives of repairing, replacing and maintaining the equipment at the Shoals City Pumping Station; and

WHEREFORE, the City Councils finds that the continued and uninterrupted operation of the Shoals City Pumping Station is critical to the flood control system of the City of Muscle Shoals and that the incompatibility of pumps produced by an alternate supplier would leave the area served by the Shoals City Pumping Station unprotected during large flood events.

WHEREAS, the City Council determines that MWI Pumps, as the producer and supplier of the Hydraflow pumps, riser pipes and associated material qualifies as a sole source exception to the competitive bidding requirements applicable to public contracts; now

THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama that MWI PUMPS, for the purposes stated herein, is found to be a sole source producer and supplier as an exception to the competitive bidding requirements applicable to public contracts; and

BE IT FURTHER RESOLVED that the Mayor, Mike Lockhart, be, and he hereby is, authorized to enter into a contract for and on behalf of the City with MWI Pumps for the repair and replacement of material and equipment as set out in the November 11, 2020 letter from MWI Pumps for and in consideration of the sum of \$64,825.00 plus any sales taxes.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute and deliver any additional documents necessary in the accomplishment of and completion of said project.

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Council Member Thompson seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the resolution had been approved.

President Sockwell announced that the next item of business was consideration of a resolution to authorize the City's participation in the debris removal program being established by the Alabama Municipal Insurance Corporation.

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

**STATE OF ALABAMA  
COLBERT COUNTY**

**RESOLUTION NUMBER 3127 - 21**

**WHEREAS**, the Alabama Municipal Insurance Corporation has established a voluntary, self-funded, cost-sharing program for Alabama municipalities to reimburse the cost of debris removal following "wind disasters" in the state; and

**WHEREAS**, the annual contribution to the fund will be based upon the member city's estimated incorporated square miles times a rate for one of three rating tiers; and

**WHEREAS**, payments for debris removal costs will be made only after a declared, Federal Disaster event occurring within the incorporated area of the city and

**WHEREAS**, the reimbursement is made only after FEMA has made payment to the city, for debris removal costs exceeding the FEMA payment amount, and

**WHEREAS**, the first year payment for the City of Muscle Shoals to the program will be \$1,553.00 (15.53 Sq. Miles times \$100.00), now

**THEREFORE BE IT RESOLVED** that the City Council of the City of Muscle Shoals, Alabama does hereby approve participation in the Municipal Debris Removal Fund, and

**BE IT FURTHER RESOLVED** that Mayor Mike Lockhart is authorized to execute any necessary documents to enroll the City of Muscle Shoals in the Fund; and

**BE IT FURTHER RESOLVED** that City Clerk-Treasurer Ricky Williams is authorized to disburse \$1,553.00 as the initial annual payment to the Fund;

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Council Member Clark seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the resolution had been approved.

President Sockwell announced that the next item of business was consideration of a resolution to accept a proposal from Skipper Consulting, Inc. for traffic engineering services.

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

**STATE OF ALABAMA**

**COLBERT COUNTY**

**RESOLUTION NUMBER 3128 - 21**  
**AUTHORIZING AND APPROVING AGREEMENT**  
**FOR TRAFFIC ENGINEERING SERVICES**

**WHEREAS**, the City of Muscle Shoals received funding for improvements to Sixth Street near the Shoals Research Airpark entrance, and

**WHEREAS**, these improvements will necessitate the closing of Sixth Street for a period of time, and

**WHEREAS**, the Alabama Department of Transportation has asked the City to review the traffic signal timings at Sixth Street and Wilson Dam Road and Avalon Avenue and Wilson Dam Road for any adjustments to the traffic signals during the time of the street closure.

**WHEREAS**, the City does not have the required skills to make this assessment, now

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCLE SHOALS:**

1. That the City of Muscle Shoals accept a proposal from Skipper Consulting, Inc. for the traffic engineering services associated with the study of the traffic signal timings in the amount of \$4,000.00.
2. That Mike Lockhart, Mayor of the City is hereby authorized to execute and deliver said agreement for and act on behalf of the City of Muscle Shoals, Alabama.

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Council Member Thompson seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell 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

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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:

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CITY CLERK