

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
February 4, 2019**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:25 p.m. on the 4<sup>th</sup> day of February, 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 Rusty Wheelles. 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 present. Elaine Coan, Assistant City Clerk, was present and kept the minutes of the meeting.

Upon motion duly made by Council Member Lockhart and seconded by Council Member Sockwell and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of January 22, 2019 and approved the minutes as written.

Mayor Bradford reported that the Federal Emergency Management Agency had made significant progress in reinstating the Letters of Map amendment for 79 properties in the City of Muscle Shoals previously approved by their agency. Approximately 90% of the properties have been reinstated.

President Noles announced that the next item of business was consideration of a resolution to vacate certain alleyways in Muscle Shoals Center #11 as described below:

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

STATE OF ALABAMA

COLBERT COUNTY

**RESOLUTION NUMBER 2997 - 19**

WHEREAS, Randy Paul Lindsey, who also took title to a portion of the foregoing Lots as Randy P. Lindsey, hereinafter called Petitioner, is the owner of Lots 250 through 254, part of Lots 255 through 257, and all of Lots 258 through 272 of Muscle Shoals Center No. 11, known and designated according to the Map Book 2, Page 451, in the Office of the Judge of Probate of Colbert County, Alabama; abutting the alleyways hereinafter described with particularity; said Petitioner being desirous of vacating said portions of the alleyways, has presented his signed Petition and Declaration of Vacation of said portions of alleyways hereinafter described to the City Council of the City of Muscle Shoals, Alabama, a municipal corporation, for its consideration, assent and approval; and

WHEREAS, the portions of the said streets and alleyways to be vacated are more particularly described as follows:

That certain 15 foot alley situated between Lots 254-265 in Muscle Shoals Center No. 11, as recorded in the Judge of Probate Office, Map Book 2, Page 451, Colbert County, Alabama, and being more particularly described as follows: Begin at the Northeast corner of Lot 254 Muscle Shoals Center No. 11, said point also lying on the Southernmost right of way line of Hollywood Avenue (50 foot right of way); thence along said right of way line, East 15.01 feet to a point; thence S 02° 00' 36" E, 212.00 feet to the Southwest corner of Lot 264; thence West 15.01 feet to the Southeast corner of Lot 265; thence N 02° 00' 36" W, 212.00 feet to the POINT OF BEGINNING of the tract of land hereby described; said tract of land contains 0.07 acre± and is subject to any and all easements or restrictions of record or unrecorded affecting said property.

A portion of a 12 foot alley situated between Lots 250-254 and 265-272, in Muscle Shoals Center No. 11, as recorded in the Judge of Probate Office, Map Book 2, Page 451, Colbert County, Alabama, and being more particularly described as follows: Begin at the Southwest corner of Lot 250 Muscle Shoals Center No. 11; thence East 205.00 feet along the North line of said 12 foot alley to the Southeast corner of Lot 254; thence S 02° 00' 36" E, 12.00 feet to the Northeast corner of Lot 265; thence West 200 feet along the South line of said 12 foot alley to the Northwest corner of Lot 272; thence N 02° 00' 36" W, 6.00 feet to a point; thence West 5.00 feet to a point; thence N 02° 00' 36" W, 6.00 feet to the POINT OF BEGINNING of the tract of land hereby described; said tract of land contains 0.06 acre± and is subject to any and all easements or restrictions of record or unrecorded affecting said property.

SUBJECT TO any existing utility easements.

WHEREAS, the aforesaid Petitioner, as the owner of all property abutting the said portions of the said alleyways to be vacated, having complied with all the requirements of Ordinances of the City of Muscle Shoals, Alabama, relating to the vacation of streets and alleyways 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 alleyways are located, such means of ingress and egress being afforded by the remaining dedicated streets in the area.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Muscle Shoals, Alabama, that the assent of the City Council of the City of Muscle Shoals, Alabama be and there same is hereby given and granted to the vacation of the portions of the alleyways herein above described.

BE IT FURTHER RESOLVED that the City of Muscle Shoals, Alabama, a municipal corporation, remise, release, and quit-claim to Randy Paul Lindsey, whatever right, title and interest the City of Muscle Shoals may have acquired in and to the above described portions of the said alleyways and that the Mayor, David H. Bradford, is hereby authorized to execute and deliver said quit-claim deed to for and on behalf of the City of Muscle Shoals, Alabama.

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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 approve an agreement with the University of North Alabama for educational opportunities for city employees at a discounted rate of tuition.

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

COLBERT COUNTY

### **RESOLUTION NUMBER 2998 - 19**

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama has received an instrument styled MEMORANDUM OF UNDERSTANDING between the City of Muscle Shoals, Alabama (hereinafter referred to as City) and the University of North Alabama (hereafter referred to as UNA) pertaining to educational opportunities for employees of the City as provided by UNA at a discounted rate of tuition; and

**WHEREAS**, the City Council has reviewed the contents of the instrument and finds that said instrument is in due form and proper order and upon consideration of same determines that it is wise and expedient that the City execute and deliver said instrument to UNA; and

**WHEREAS**, the City Council finds that other instruments and related documents may be required in connection with said matter and issue presented in the above described instrument and is desirous of authorizing the execution and delivery of other instruments and related documents in connection therewith;

**BE IT HEREBY 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 the instrument styled MEMORANDUM OF UNDERSTANDING pertaining to the educational opportunities described therein.

**BE IT FURTHER RESOLVED** that the Mayor of the City, David H. Bradford, be, and hereby is, authorized to execute and deliver any instruments and related documents in connection with the matters and issues presented in the above described instrument.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be prepared forthwith by the Clerk and delivered unto the UNA along with the executed instrument styled MEMORANDUM OF UNDERSTANDING with UNA as described herein and furthermore shall retain a copy to be kept on file by the said Clerk.

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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

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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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ASSISTANT CITY CLERK