

**MINUTES FROM A WORK SESSION OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
November 4, 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 4<sup>th</sup> day of November 2024. The following members were found to be present or absent, as indicated:

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

ABSENT: DAVID MOORE

Chad Holden, Superintendent, and Kelly Nichols provided an update regarding academics and overall health of the school district.

Dennis Norton, the city's auditor, presented the FS 2023 audit.

Jazmin Castro, Finance Director, presented the end-of-year adjustments.

Shawn Malone, Fire Chief, provided an update regarding Station 4.

Chief Malone and Clint Reck, Police Chief, discussed the need for changing the road named Jackson Avenue to Jackson Drive.

Chief Reck discussed the retirement of K9 Bane along with Officer Glenn Davis being placed on the drug task force.

Dawn Woodall, Director of Parks and Recreation, spoke about Shoals Bistro using the restaurant space at Cypress Lakes.

Heather Wright discussed the sales tax incentive for Avalon Medical Center.

Chief Reck spoke about the SRO agreement.

The council reviewed agenda items.

There being no further business the meeting was adjourned at 6:17 p.m.

CITY OF MUSCLE SHOALS, ALABAMA

A Municipal Corporation



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COUNCIL MEMBER – PLACE ONE



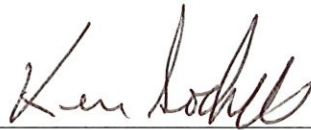
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COUNCIL MEMBER – PLACE TWO



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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:



Jalen Johnson, Director of HR/Assistant City Clerk



Council Member Sockwell: YAY  
Council Member Moore: ABSENT

President Sockwell announced that the next item of business was a public hearing for the issuance of a Lounge Retail Liquor License to PMPATEL Inc. located at 3850 Highway 20 STE A and B. Upon said hearing being put to a vote, a roll call was had, and the vote recorded as follows:

Council Member Hall: YAY  
Council Member Clark: YAY  
Council Member Thompson: YAY  
Council Member Sockwell: YAY  
Council Member Moore: ABSENT

President Sockwell announced that the next item of business was consideration of approving an ordinance to add a one-day business license to the city's fee schedule. President Sockwell announced that voting on this item would be rescheduled for November 18<sup>th</sup>, 2024.

**ORDINANCE NO. 1563-24**

**AN ORDINANCE OF THE CITY OF MUSCLE SHOALS, ALABAMA, PROVIDING FOR THE ISSUANCE OF A ONE-DAY BUSINESS LICENSE**

**WHEREAS**, the City of Muscle Shoals recognizes the importance of fostering local economic growth by encouraging vendor participation in city-sponsored events; and

**WHEREAS**, the current business license structure requires vendors to purchase a full-year license, which may not be practical or economical for short-term or temporary vendors participating in such events; and

**WHEREAS**, the City seeks to support small businesses, promote community engagement, and increase the diversity of goods and services offered at city events by offering a one-day business license option for temporary vendors;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCLE SHOALS, ALABAMA, AS FOLLOWS:**

**Section 1. Purpose and Intent**

The purpose of this ordinance is to create a one-day business license for temporary vendors who wish to operate within the City of Muscle Shoals during city-sponsored events. This license will provide an affordable and practical option for those vendors, while ensuring compliance with city regulations and allowing for better event management.

**Section 2. Definition of a Temporary Vendor**

For the purpose of this ordinance, a "temporary vendor" is defined as any individual, business, or organization that sets up a temporary booth, stand, table, or stall for the purpose of selling goods

or services at a city-sponsored event. Temporary vendors are distinguished from regular vendors by their intent to operate for a single event or for a limited period not exceeding three consecutive days.

### **Section 3. Issuance of One-Day Business License**

A one-day business license shall be available to temporary vendors meeting the following conditions:

1. The vendor is participating in a city-sponsored or city-approved event.
2. The business activity is intended to take place within the boundaries of the event, as designated by the city.
3. The vendor agrees to comply with all applicable city ordinances, including health and safety regulations.

### **Section 4. License Fee**

The fee for a one-day business license shall be set at \$25 per day, per vendor. This fee shall grant the vendor permission to operate within the city for the duration of the designated event, not exceeding three consecutive days.

### **Section 5. Application Process**

Temporary vendors seeking a one-day business license must:

1. Submit a completed application to the City Clerk's Office at least [Insert Number] days prior to the event.
2. Provide proof of participation or approval from the event organizer.
3. Pay the required fee upon submission of the application.

### **Section 6. Expiration of License**

The one-day business license shall expire at the conclusion of the event for which it was issued and shall not be valid for any other dates or events. Vendors wishing to participate in future events must apply for a new one-day business license.

### **Section 7. Penalties for Non-Compliance**

Any vendor found operating without a valid one-day business license or in violation of the terms of this ordinance shall be subject to penalties in accordance with the city's existing business licensing regulations.

### **Section 8. Severability**

If any section or provision of this ordinance is found to be unconstitutional or invalid, such finding shall not affect the validity of the remaining portions of this ordinance.

**Section 9. Repealer Clause**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 10. Effective Date**

This ordinance shall become effective upon its adoption and publication as required by law.

**ADOPTED AND APPROVED THIS 4th DAY OF November, 2024.**

President Sockwell announced that the next item of business was consideration of approving a resolution to approve a contract with Shoals Bistro for the lease of restaurant space at Cypress Lakes Golf Course. Council Member Clark made a motion to approve the resolution; Council Member Hall seconded that motion.

RESOLUTION NO. 3343-24

A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY OF MUSCLE SHOALS, ALABAMA, AND SHOALS BISTRO FOR THE LEASE OF THE KITCHEN AND DINING ROOM SPACE WITHIN CYPRESS LAKES GOLF COURSE FACILITY

WHEREAS, the City of Muscle Shoals, Alabama (hereinafter referred to as "City") seeks to enter into a lease agreement with Shoals Bistro as Lessee to for use of kitchen and dining room facilities at Cypress Lakes Golf Course for providing food services therein;

WHEREAS, the City finds that entering into this agreement is in the best interest of the City and the use of the defined facilities;

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

The City Council of the City of Muscle Shoals, Alabama hereby approves the terms of the Lease Agreement by and between the City and Shoals Bistro and the Mayor of the City is hereto authorized to execute the Lease Agreement with Shoals Bistro on behalf of the City.

This resolution shall become effective immediately upon its adoption by the City Council.

ADOPTED and APPROVED this 4th day of November, 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 to approve a contract with Shoals Bistro for the Management and Operations Agreement. Council Member Clark made a motion to approve the resolution; Council Member Hall seconded that motion.

RESOLUTION NO. 3344-24

A RESOLUTION APPROVING THE MANAGEMENT AND OPERATIONS AGREEMENT BETWEEN THE CITY OF MUSCLE SHOALS, ALABAMA, AND MARIANO MORENO AND BRANDY MORENO AND BELLA EVENT COMPANY, LLC AT THE CYPRESS LAKES EVENT CENTER

WHEREAS, the City of Muscle Shoals, Alabama (hereinafter referred to as "City") seeks to enter into a Management and Operations Agreement with Mariano and Brandy Moreno and Bella Event Company, LLC for the provision and attraction of event management services and to host events and with agreement regarding the financial and operational terms regarding the sale of alcohol therein;

WHEREAS, the City finds that entering into this agreement is in the best interest of the City and the use of the defined facilities;

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

The City Council of the City of Muscle Shoals, Alabama hereby approves the terms of the Management and Operations Agreement as therein described in said Agreement by and between the City and Mariano and Brandy Moreno and Bella Event Company, LLC and the Mayor of the City is hereto authorized to execute the Lease Agreement with Mariano and Brandy Moreno and Bella Event Company, LLC on behalf of the City.

This resolution shall become effective immediately upon its adoption by the City Council.

ADOPTED and APPROVED this 4 day of November, 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 to approve the sales tax incentive for Avalon Medical Center. Council Member Clark made a motion to approve the resolution; Council Member Hall seconded that motion.

**STATE OF ALABAMA**

**COLBERT COUNTY**

**RESOLUTION NUMBER 3346-24**

**WHEREAS**, Section 94.01 (a) (3) of the Alabama Constitution of 1901, as amended (Amendment 772), authorizes county and municipal governments to "lend its credit to or grant public funds and things of value in aid of or to any individual, firm, corporation, or other business entity, public or private, for the purpose of promoting the economic and industrial development of the county or municipality; and

**WHEREAS**, the City Council of the City of Muscle Shoals, Alabama, has considered the request of McCoy Parker Investments for the grant of inducements relative to the development and operation of a retail center located at Avalon Place within the City of Muscle Shoals, Alabama, and to further induce eligible and qualifying retail establishments to locate and operate within said area, hereby makes the following findings:

1. Notice of a public meeting, including a description of the proposed benefits to McCoy Parker Investments, will be posted at City Hall in the City of Muscle Shoals, Alabama; Muscle Shoals Public Library; Muscle Shoals Recreation Department, Building 1, Gattman Park, Muscle Shoals Branch; and First Metro Bank, Muscle Shoals Branch, being four conspicuous places lying and being within the City of Muscle Shoals, Alabama, there being no newspaper published and of general circulation in the City of Muscle Shoals, Alabama.
2. A public meeting will be held before the City Council of Muscle Shoals on November 4 at 5:30 p.m., and all persons present will be given the opportunity to make comment and ask questions.
3. The inducements to McCoy Parker Investments, a private entity, and the expenditure of public funds as outlined herein serve valid and sufficient public purposes, including but not limited to, inducing eligible and qualifying retail establishments to locate and operate within said area in the City of Muscle Shoals, Alabama, and supporting the development of retail businesses at Avalon Place.



**WHEREAS**, the City has determined that entry into the transactions described herein will promote the economic development of the City, create jobs within the City, increase tax revenues, and improve the quality of life in the City.

**NOW, THEREFORE, PREMISES CONSIDERED, BE IT RESOLVED** by the City Council of the City of Muscle Shoals, Alabama, that the following inducements for the benefit of McCoy Parker Investments are hereby approved:

1. The City of Muscle Shoals agrees that McCoy Parker Investments will be entitled to receive an amount equal to 50% of all municipal sales tax revenue generated from sales by a McCoy Parker Investments retail center located at Avalon Place in the City of Muscle Shoals, Alabama.
2. The amount of said payments due to McCoy Parker Investments shall be based upon and calculated according to the monthly sales tax report filed with the Department of Revenue by the eligible and qualifying retail establishment to be located within Avalon Place. Payments will be made by the 15th of the succeeding month after the filing of the sales tax report.
3. Payments hereunder shall not extend for a period greater than five (5) years from the date of the initial payment made by the City to McCoy Parker Investments, nor shall the aggregate amount of the payments exceed \$500,000. The payments agreed to hereby shall cease to be the obligation of the City when the first of the following events shall occur:
  - a. The expiration of five (5) years from the date of the initial payment made by the City to McCoy Parker Investments.
  - b. The payment of the cumulative sum of \$500,000 to McCoy Parker Investments from the receipt of sales tax revenue generated from the retail center at Avalon Place in Muscle Shoals, Alabama.
4. An eligible and qualifying retail establishment for the purposes hereof is defined as a McCoy Parker Investments retail center located at Avalon Place in Muscle Shoals, Alabama.
5. The incentives hereunder are non-transferable without the express written consent of the City of Muscle Shoals as approved by the City Council.
6. The expenditure of public funds as described herein for the purposes specified will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities, including McCoy Parker Investments.

7. The Resolution reflects the City's negotiations to date; however, shall be binding only upon the execution of any other documents required or due to be executed by the City and McCoy Parker Investments.
8. The City Council does hereby authorize and direct the Mayor of the City, Mayor Lockhart, to execute and deliver on behalf of the City all documents necessary and required to effectuate the purposes of said Resolution.

**ADOPTED and APPROVED** on this the 4<sup>th</sup> day of November 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 to approve the SRO agreement. Council Member Clark made a motion to approve the resolution; Council Member Hall seconded that motion.

RESOLUTION NO. 3345-24

A RESOLUTION APPROVING THE AGREEMENT FOR SCHOOL RESOURCE SERVICES BETWEEN THE CITY OF MUSCLE SHOALS, ALABAMA, THE MUSCLE SHOALS CITY BOARD OF EDUCATION, AND THE SCHOOL RESOURCE OFFICER

WHEREAS, the City of Muscle Shoals, Alabama (hereinafter referred to as "City") recognizes the importance of ensuring the safety and security of students, faculty, and staff within the Muscle Shoals City Schools;

WHEREAS, the Muscle Shoals City Board of Education (hereinafter referred to as "Board") has expressed a need for school resource officer (SRO) services to be provided to schools within its jurisdiction to enhance security, promote safety, and build relationships between law enforcement and the school community

WHEREAS, the City, the Board, and the School Resource Officer (hereinafter referred to as "SRO") wish to enter into an agreement styled AGREEMENT FOR SCHOOL RESOURCE SERVICES to formalize the terms, conditions, and responsibilities for the provision of SRO services within the Muscle Shoals City Schools;

WHEREAS, the City finds that entering into this agreement is in the best interest of public safety and welfare;

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

The City Council of the City of Muscle Shoals, Alabama hereby approves the AGREEMENT FOR SCHOOL RESOURCE SERVICES by and between the City of Muscle Shoals, Alabama, the Muscle Shoals City Board of Education, and the School Resource Officer and the Mayor of the City of Muscle Shoals, Alabama, is hereby authorized to execute the document on behalf of the City.

This resolution shall become effective immediately upon its adoption by the City Council.

ADOPTED and APPROVED this 4 day of November, 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

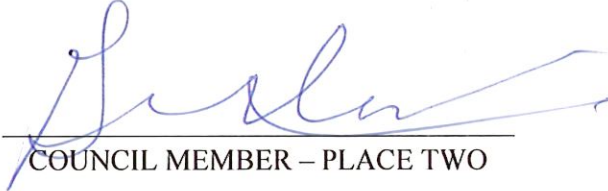
NAYS: None

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:



Jalen Johnson, Director of HR/Assistant City Clerk