

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
April 1, 2019**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:05 p.m. on the 1<sup>st</sup> day of April, 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 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. Ricky 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 March 18, 2019 and approved the minutes as written.

Mayor Bradford reported that the ATRIP Webster Street projected had started. He also presented a proclamation declaring April 21 - 27 as Parental Alienation Prevention Week. Logan McInnish presented a plaque thanking city personnel for their efforts in response to the February flooding.

President Noles announced that the next item of business was consideration of a resolution to reject the bid for construction of an amphitheater.

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

**STATE OF ALABAMA  
COLBERT COUNTY**

**RESOLUTION NUMBER 3003-19**

**BE IT RESOLVED**, by the Council of the City of Muscle Shoals, Alabama that the City representative, Lambert Ezell Durham Architecture, LLC, did send out advertisements for bids for the construction of an amphitheater, the bid opening being held March 14, 2019 at the City Hall of the City of Muscle Shoals, Alabama; and

**BE IT FURTHER RESOLVED**, that at the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

<b>Bidder</b>	<b>Base Bid</b>	<b>Alternate No. 1 - Entry Gateway</b>
Butler Construction Co., LLC	\$491,500.00 10,500.00 - Add <u>\$502,000.00</u>	\$35,500.00
Johnson Contractors, Inc.	\$485,000.00	\$40,932.00

**BE IT FURTHER RESOLVED**, that all bids exceeded the budgetary funds for said project; and

**BE IT FURTHER RESOLVED**, that all bids submitted be rejected due to having exceeded budgetary funds for said project;

**NOW THEREFORE, BE IT RESOLVED**, that all bids submitted for the construction of an amphitheater were thereupon rejected.

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 resolution had been approved.

President Noles announced that the next item of business was consideration of a resolution to appoint a member to the Riverbend Mental Health Board.

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

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

**RESOLUTION NUMBER 3004 - 19**

**WHEREAS**, a vacancy on the Board of Directors of the Riverbend Center for Mental Health has expired and the City Council being desirous of making the necessary appointment to said board;

**WHEREAS**, notice was given to the public of said vacancy and applications solicited for membership to said board;

**WHEREAS**, the following individual made proper application and met the requirements for appointment, is eligible for appointment to fill the pending vacancy:

Carolyn Menne

**WHEREAS**, Carolyn Menne was the lone applicant and determined to be eligible for appointment, and

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

- Council Member Hall: Carolyn Menne
- Council Member Willis: Carolyn Menne
- Council Member Lockhart: Carolyn Menne
- Council Member Sockwell: Carolyn Menne
- Council Member Noles: Carolyn Menne

**WHEREAS**, Council President Noles announced that Carolyn Menne had received a majority of the votes cast, now

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Muscle Shoals, Alabama does hereby appoint the following named person to serve as set forth herein:

<u>APPOINTEE</u>	<u>BOARD</u>	<u>EXPIRATION OF TERM</u>
Carolyn Menne	Riverbend Mental Health	April 2025

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

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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 resolution had been approved.

President Noles announced that the next item of business was consideration of a resolution to appoint a member to the Northwest Alabama Regional Airport Authority Board.

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

**STATE OF ALABAMA  
COLBERT COUNTY**

**RESOLUTION NUMBER 3005 - 19**

**WHEREAS**, the term of a member of the Airport Authority Board has expired and the City Council being desirous of making the necessary appointment to said board within the City;

**WHEREAS**, notice was given to the public of said pending vacancy and applications solicited for members to said board;

**WHEREAS**, the following individual made proper application and met the requirements for appointment, is eligible for appointment to fill the pending vacancy:

Rick East

**WHEREAS**, Rick East was determined to be the sole candidate and otherwise eligible for appointment, and

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

Council Member Hall: Rick East  
Council Member Willis: Rick East  
Council Member Lockhart: Rick East  
Council Member Sockwell: Rick East  
Council Member Noles: Rick East

**WHEREAS**, President Noles announced that Rick East had received a majority of the votes cast, now

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Muscle Shoals, Alabama does hereby appoint the following named person to serve as set forth herein:

<u>APPOINTEE</u>	<u>BOARD</u>	<u>EXPIRATION OF TERM</u>
Rick East	Airport Authority Board	March 2022

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

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 declare April as “Sexual Assault Awareness and Prevention month” in the city.

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

STATE OF ALABAMA  
COLBERT COUNTY

**Resolution Number 3006 - 19**

**Recognizing April, 2019 as  
Sexual Assault Awareness & Prevention Month**

**WHEREAS** National statistics show 1 in 5 women and 1 in 71 men will be sexually assaulted at some point;

**WHEREAS** children are most at risk for sexual assault with 1 in 6 boys and 1 in 4 girls being assaulted before age 18;

**WHEREAS** sexual assault affects all persons and does not spare or discriminate on any basis;

**WHEREAS** in addition to the immediate physical and emotional costs sexual assault may have long-term consequences including post-traumatic stress, substance abuse, depression, eating disorders, homelessness, and suicide;

**WHEREAS** community organizations, educators, law enforcement & health professions should be recognized for their work in preventing sexual assault, treating survivors, and prosecuting perpetrators; now

**THEREFORE BE IT RESOLVED** by the City Council of the City of Muscle Shoals that April, 2019, be recognized as Sexual Assault Awareness & Prevention Month.

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 declare April as “Fair Housing Month” in the city.

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

STATE OF ALABAMA  
COLBERT COUNTY

**Resolution Number 3007 - 19**  
**Fair Housing Month**  
**City of Muscle Shoals**  
**CDBG Project #LR-CE-PF-17-021**

**WHEREAS**, the month of April is recognized throughout these United States of America as Fair Housing Month; and

**WHEREAS**, TITLE VIII of the Civil Rights Act of 1968, as amended, set forth a national policy of fair housing without regard to race, color, national origin, religion, sex, familial status, or disability; and

**WHEREAS**, the City of Muscle Shoals continues to affirmatively further fair housing for its citizens; and now

**THEREFORE BE IT RESOLVED** by the City Council of the City of Muscle Shoals that April, 2019, be recognized as

## **“Fair Housing Month”**

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 resolution to declare two vehicles as surplus and authorize their disposal.

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

STATE OF ALABAMA

COLBERT COUNTY

### **RESOLUTION NUMBER 3008 - 19**

**WHEREAS**, the City Council has been informed by the Police Chief that certain vehicles and related equipment hereinafter described previously used in the performance of duties at the Muscle Shoals Police Department are no longer required for use by City personnel; and

**WHEREAS**, the City Council has determined that the said vehicles and related equipment are surplus property and the City has no further use for said vehicles and related equipment due to their age and condition and it is not economical for the City to retool or refit the said vehicles and related equipment in order that it be able to be placed in service in the police department;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Muscle Shoals, Alabama that the following described certain vehicles and related equipment be declared surplus property and be disposed of by the Police Chief 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 certain vehicles and related equipment and the Council does hereby authorize the Police Chief to dispose of said certain vehicles and related equipment in such manner. The Council finds that the following vehicles and related equipment are surplus property:

2009 Ford Crown Victoria VIN 2FAHP71V49X129543, Asset #090363230006  
Motorola mobile radio CM300, Serial #922THY0943, Asset #002624  
Siren Code 3 Master, Asset #093210004  
Lightbar Tomar - Asset #080815001  
Radar Stalker II, Serial #AS005754, Asset #002701  
MPH Video Camera, Serial #1CV784003277, Asset #002705

2010 Ford Crown Victoria VIN 2FABP7BV9AX124475, Asset #1003310001  
Lightbar Tomar - Asset #1003010003  
Video Camera MPH, Serial #1CV781003127, Asset #002593  
Radar Stalker II, Serial #13681, Asset #002812  
Siren Code 3, Asset #002900  
Mobile Radio Motorola PM400, Serial #019TLAC009, Asset #002806

**BE IT FURTHER RESOLVED** that the Police Chief is authorized to take the steps necessary to convey the above described certain vehicle and related equipment to the City of Sheffield for the sum of \$2,000.00 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 the City of Sheffield , shall execute and deliver a release to the City of Muscle Shoals, Alabama releasing the City of Muscle Shoals from all liability, claim, loss or expense, in the operation of said vehicle and equipment herein described.

**BE IT FURTHER RESOLVED** that the title to the vehicle and related equipment shall be delivered, to the City of Sheffield , and that all expenses of the transfer shall be borne by the City of Sheffield .

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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

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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