

MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA HELD
November 16, 2020

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:00 pm o'clock on the 16th day of November, 2020, being the regularly scheduled time and place for said meeting. The meeting was called to order by Ken Sockwell, Council President of the City. On roll call the following were found to be present or absent, as indicated:

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

ABSENT: NONE

Richard L. Williams, City Clerk of the City, was present and kept the minutes of the meeting.

Ken Sockwell, Council President of the City, 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.

At this time Council Member Clark moved to reconsider Ordinance #1529 - 20 in order to amend the date and time of notice for public inclusion on the City Council meeting agenda as noted in paragraphs 5 and 11.

Council Member Thompson seconded the motion and upon said motion being put to a vote, a roll call was had and the vote was recorded as follows:

Ayes: Council Member Hall, Council Member Clark, Council Member Thompson,

Council Member Sockwell, Council Member Moore

Nays: None

President Sockwell announced the vote and declared that the motion for reconsideration of Ordinance #1529-20 had been approved.

Council Member Clark moved that sections 5 and 11 of Ordinance Number 1529-20 be amended to reflect anyone wishing to be included on the City Council meeting agenda to give notice by Friday at 3:00 pm as noted in proposed amendment:

ORDINANCE NUMBER 1529 - 20
AN ORDINANCE APPROVING THE RULES OF PROCEDURE FOR
MEETINGS OF THE COUNCIL OF MUSCLE SHOALS, ALABAMA
FOR THE TERM COMMENCING NOVEMBER 2, 2020

The Council of Muscle Shoals, Alabama being elected and meeting pursuant to law in organizational session on the first Monday of November 2020 and for the purposes of setting forth the rules of procedure and operation of the Council of Muscle Shoals, Alabama desires to enact certain rules of procedure and operation:

BE IT ORDAINED BY THE COUNCIL OF MUSCLE SHOALS, ALABAMA, that Ordinance Number 1497 - 16, and the provisions thereof, is hereby repealed and of no further force and effect.

BE IT FURTHER ORDAINED BY THE COUNCIL OF MUSCLE SHOALS, ALABAMA, that the order and rules of procedure in all instances for meetings of the Council shall be as follows:

Section 1. That the rules or order of procedure herein contained shall govern deliberations and meetings of the Council of Muscle Shoals, Alabama.

Section 2. Regular meetings of the Council shall be held on the following dates: The first and third Monday of each month except on holidays as recognized and/or designated by the Council of Muscle Shoals, Alabama. In lieu of the foregoing, the Council may schedule a regular meeting of the Council at another time by setting the date and time certain at and during any regular or special meeting of the council.

Section 3. Special meetings may be held at the call of the President of the Council by serving notice to each member of the Council not less than twenty-four hours before the time set for such special meetings, or special meetings may be held as provided by Section 11-43-50 of the Alabama Code of 1975, whenever two Council members request in writing that the presiding officer call such meeting, upon the failure or refusal of the presiding officer to call such meeting when requested, the two Council members making the request shall have the right to call such meeting and notice shall be given to each member of the Council not less than twenty-four hours before the time set for the special meeting.

Section 4. A quorum of the Council shall be determined as provided by Section 11-43-48 of the Alabama Code of 1975. In the event that a lesser number than a quorum shall convene at any regular or special meeting of the Council, they are authorized to send the Chief of Police or some other person for any or all absent members, as the majority of the members present may agree.

Section 5. There shall be a work session of the Council preceding the regular meetings of the Council or at such other time as the President of the Council may designate by giving notice to the public by posting the time of said meeting at City Hall at least three (3) hours before the commencement of said work session. The work sessions preceding the regular meetings of the Council shall commence at 5:30 p.m. The regular meetings of the Council shall commence immediately at the conclusion of the work session but in no instance prior to 6 p.m. All meetings of the Council, regular, special or work sessions, shall be open to the public. Any person wishing to appear at the work session shall notify the Clerk's office by 3 p.m. on the Friday preceding the work session of their intent to speak and the subject matter they wish to address at the work session.

Section 6. The Clerk of the City shall prepare and furnish copies of the minutes of the previous meeting and shall also prepare and furnish an agenda of the next meeting of the Council to each member of the Council by Friday of the next succeeding meeting of the Council.

Section 7. The order of business shall be as follows:

1. A call to order
2. Opening Prayer
3. Pledge of Allegiance
4. Roll call
5. Adoption of the minutes
6. Comments of the Mayor
7. Comments of the public
8. Reports of standing committees
9. Reports of special committees.
10. Reports of officers.
11. Hearing on petitions, applications, appeals, communications, etc.
12. Financial reports
13. Resolutions, ordinances, orders and other business.
14. Adjournment.

Section 8. In all roll call votes of the Council, the Clerk shall call the roll of the Council members in order of the place numbers held by each of them [i.e. Place 1, Place 2, Place 3, Place 4 and Place 5].

Section 9. No member shall speak more than twice on the same subject without permission of the presiding officer.

Section 10. No person, not a member of the Council shall be allowed to address the same while in session without unanimous consent of the Council.

Section 11. Persons seeking to address the Council during the meetings of the Council shall be recognized to do so during and pursuant to Item 4 of Section 7 [Comments of the public] of these rules of order and procedure or at the work session preceding the regular meeting of the Council. All persons seeking to address the Council shall notify the Clerk's office by 3 p.m. on Friday preceding the meeting by stating their name and the substance of the matter to be addressed before the Council. All persons shall address and speak to the Council from a designated rostrum. Each person so recognized to address the Council shall be allowed a period of five (5) minutes to do so and the Clerk shall keep the time and shall notify the person addressing the Council when one (1) minute of the time remains. All persons obtaining recognition to address the Council shall do so only upon the matters within the purview and jurisdiction of the Council and touching upon matters that are to be acted upon or which may be acted upon by the Council. All general supervisory and executive matters within the Mayor's responsibility shall be taken up with the Mayor at a time other than during the meetings of the Council.

Section 12. Every officer, whose duty it is to report at the regular meetings of the Council who shall be in default thereof, may be fined at the discretion of the Council.

Section 13. All resolutions and ordinances shall be in writing.

Section 14. Motions to reconsider must be by a member who voted with the prevailing side and at the same or next succeeding regular meeting of the Council. If the latter, such intent to make a motion to reconsider must be filed in writing with the Clerk of the City by 4 o'clock p.m. on Thursday before the next succeeding regular meeting of the Council. A matter shall be subject to a motion to reconsider one time only.

Section 15. Whenever it shall be requested by one or more members the "yeas" and "nays" shall be recorded; and any member may call for a division on any question.

Section 16. All questions of order shall be decided by the presiding officer of the Council with the right of appeal to the Council by any member. The presiding officer shall refrain from voting on any appeal of a ruling by the presiding officer to the Council.

Section 17. Motions to lay any matter on the table shall be first in order and a motion for adjournment shall always be in order.

Section 18. The rules of the Council may be altered, amended or temporarily suspended by a vote of four-fifths of the members present. Notice of intent to alter or amend these rules of procedure shall be given in writing at the regular meeting of the council before the next succeeding regular meeting of the council at which a member intends to alter or amend the said rules.

Section 19. The chairman of each respective committee, or the Council member acting for him

in his place, shall submit or make all reports to the Council when so requested by the presiding officer or any member of the Council.

Section 20. All ordinances, resolutions or propositions submitted to the Council which require the expenditure of money shall lie over until the next regular meeting, provided, that such ordinances, resolutions or propositions may be considered earlier by the unanimous consent of the Council, such consent shall be by roll call and the "yeas and nays" shall be recorded and the vote thereon spread on the minutes; and provided further, that this rule shall not apply to the budgeted items and/or current expenses of officers, or wages of employees, of the city.

Section 21. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent be obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the "yeas and nays" shall be recorded and the vote thereon spread on the minutes.

Section 22. This Ordinance shall become effective immediately upon its passage and approval by the Mayor or upon its otherwise becoming effective as provided by law.

Council Member Thompson seconded the motion and upon said motion being put to a vote, a roll call was had and the vote was recorded as follows:

Ayes: Council Member Hall, Council Member Clark, Council Member Thompson,
Council Member Sockwell

Nays: Council Member Moore

President Sockwell announced the vote and declared that the motion for adoption of the amended Ordinance had been approved.

CERTIFICATE

I, Richard L. Williams, City Clerk for the City of Muscle Shoals, Alabama, do hereby certify that the attached and foregoing pages constitute a true, correct, verbatim and complete copy of the excerpts from all those portions of the minutes of a regular meeting of the Council of Muscle Shoals, Alabama held on the 16th day of November, 2020 at 6:00 pm in said City and pertaining to the matters set out therein and as the same appears in the records in the Office of the City Clerk of Muscle Shoals, Alabama.

WITNESS my signature as said City Clerk this the 19th day of November, 2020.


CITY CLERK

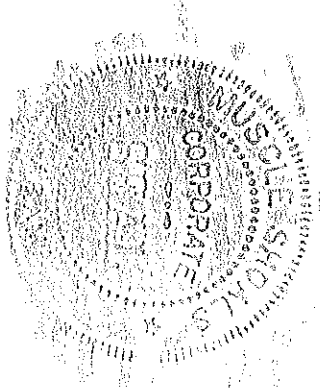
CERTIFICATE

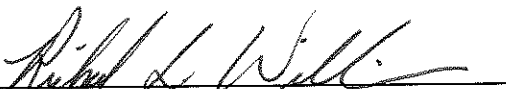
I, Richard L. Williams, City Clerk for the City of Muscle Shoals, Alabama, hereby certify that the above and foregoing Resolution was duly and properly adopted by the Council of the City of Muscle Shoals, Alabama at a regular meeting of the said Council held on the 16th day of November, 2020 at 6:00 pm in said City and that said Resolution has been duly and properly published on the 19th day of November, 2020 and pursuant to law, by posting a copy of said Resolution at the Office of the Mayor at City Hall in the City of Muscle Shoals, Alabama; Muscle Shoals Public Library; Gattman Park Recreation Center; 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.

I certify that a copy of the said Resolution has been posted to the City's website which can be found at www.cityofmuscleshoals.com.

Reasonable steps will be undertaken to maintain the postings for not less than thirty (30) days.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 19th day of November, 2020.




CITY CLERK