

**MINUTES FROM A REGULAR MEETING
OF THE COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
November 6, 2023**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 5:42 p.m. on the 6th day of November 2023 being the scheduled place for said meeting once the previously held work session ended. 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. Brittney Walker, City Clerk/Treasurer, and Kate McCollister, Administrative Assistant/Marketing, were present and kept the minutes of the meeting.

The invocation was given by Chief Reck. President Ken Sockwell led in the pledge of allegiance.

Upon motion duly made by Council Member Thompson and seconded by Council Member Moore and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of October 17th, 2023, and approved the minutes as written.

Mayor Lockhart thanked everyone for their participation in the Trunk or Treat at City Hall. He informed everyone of the Avalon Place Development groundbreaking ceremony scheduled for next week. He also thanked the city employees for their hard work through the previous month of October.

President Sockwell announced that the next item of business was to approve a resolution for the purchase of a new fire truck. Council Member Moore made a motion to approve the resolution; Council Member Clark seconded that motion.

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 3287-23

BE IT RESOLVED, that the City Council of the City of Muscle Shoals, Alabama approved the purchase of one (1) new, custom built fire apparatus to be utilized in the Fire Department; and

WHEREAS, that the Procurement Agent advised that the purchase must comply with the Alabama Competitive Bid Law requirements, and that a cooperative contract approved by the State of Alabama is valid for such purchase; and

WHEREAS, the Procurement Agent further advised that the total purchase price for one (1) new, custom built fire apparatus is \$1,598,588.00 to be purchased from Rosenbauer Minnesota, LLC and further Rosenbauer Minnesota, LLC, is the awarded contractual vendor for said item with Houston-Galveston Area Council (HGACBuy), a State of Alabama approved governmental purchasing cooperative; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals that Rosenbauer Minnesota, LLC is awarded the purchase of the approved custom built fire apparatus for the total purchase price of \$1,598,588.00.

ADOPTED this 6th day of November, 2023.

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 to approve a resolution for the purchase of a new garbage truck. Council Member Moore made a motion to approve the resolution; Council Member Clark seconded that motion.

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 3288-23

BE IT RESOLVED, that the City Council of the City of Muscle Shoals, Alabama approved the purchase of a Freightliner dual drive M2 chassis for New Way 24 yd Sidewinder XTR garbage truck to be utilized in the Public Works Department; and

BE IT FURTHER RESOLVED, that the Procurement Agent advised that the purchase must comply with the Alabama Competitive Bid Law requirements, and that a cooperative contract approved by the State of Alabama is valid for such purchase; and

BE IT FURTHER RESOLVED, the Procurement Agent further advised that the total purchase price for the garbage truck is \$312,676.00 to be purchased from Sansom Equipment, and further that Sansom Equipment is the awarded contractual vendor for said item with Sourcewell, a State of Alabama approved purchasing cooperative; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals that Sansom Equipment, is awarded the purchase of the approved garbage truck for the total purchase price of \$312,676.00.

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 to suspend the rules for immediate consideration of approving an ordinance for the approval of the franchise agreement with Spectrum. Council Member Moore made a motion to suspend the rules for immediate consideration to approve the ordinance; Council Member Clark seconded that motion.

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 to approve an ordinance for the approval of the franchise agreement with Spectrum. Council Member Moore made a motion to approve the resolution; Council Member Clark seconded that motion.

ORDINANCE NUMBER 1558-23

WHEREAS, the City Council of the City of Muscle Shoals has been presented and has reviewed that certain instrument styled CABLE TELEVISION FRANCHISE ORDINANCE FOR MUSCLE SHOALS, ALABAMA AND SPECTRUM SOUTHEAST, LLC;

WHEREAS, the City Council of the City of Muscle Shoals deems it necessary and expedient that action be taken to provide for such services as described therein for its citizens and the public at large;

WHEREAS, the City's consultants have read and analyzed the contents of the proposed ordinance and are of the opinion that it is the best interests of the City to adopt it;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Muscle Shoals does hereby deem it is necessary and expedient that the City of Muscle Shoals, Alabama enter into described hereinabove CABLE TELEVISION FRANCHISE ORDINANCE FOR MUSCLE SHOALS, ALABAMA AND SPECTRUM SOUTHEAST, LLC; and determines it is beneficial to the City that it do

so, said Ordinance being more specifically in its entirety in the Ordinance Book maintained by the City Clerk and being named as follows, to wit: and set forth herein

ORDINANCE NO. 1558-23

AN ORDINANCE GRANTING A FRANCHISE TO SPECTRUM SOUTHEAST, LLC, L/K/A CHARTER COMMUNICATIONS, TO CONSTRUCT, OPERATE, AND MAINTAIN A CABLE SYSTEM IN MUSCLE SHOALS, ALABAMA SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM AND THE PUBLIC RIGHTS-OF-WAY AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREIN;

The City Council of Muscle Shoals Alabama ordains:

STATEMENT OF INTENT AND PURPOSE

City intends, by the adoption of this Franchise, to bring about the further development of a Cable System, and the continued operation of it. Such development can contribute significantly to the communication needs and desires of the residents and citizens of City and the public generally. Further, City may achieve better utilization and improvement of public services and enhanced economic development with the development and operation of a Cable System.

Adoption of this Franchise is, in the judgment of the City Council, in the best interests of City and its residents.

FINDINGS

In the review of the request for renewal by Grantee and negotiations related thereto, and as a result of a public hearing, the City Council makes the following findings:

1. Grantee's technical ability, financial condition, legal qualifications, and character were considered and approved in a full public proceeding after due notice and a reasonable opportunity to be heard;
2. Grantee's plans for constructing and operating the Cable System were considered and found adequate and feasible in a full public proceeding after due notice and a reasonable opportunity to be heard;
3. The Franchise granted to Grantee by City complies with the existing applicable state statutes, federal laws and regulations; and
4. The Franchise granted to Grantee is nonexclusive.

For reference to the entirety of the Ordinance, please see the Ordinance maintained in the City Clerk's Office.

BE IT FURTHER ORDAINED that the City Council of the City of Muscle Shoals, Alabama, does hereby approve the due execution of the said document styled as CABLE TELEVISION FRANCHISE ORDINANCE FOR MUSCLE SHOALS, ALABAMA AND SPECTRUM SOUTHEAST, LLC; and does hereby authorize Michael Lockhart as Mayor of the City of Muscle Shoals, Alabama to execute, acknowledge and agree to the terms and conditions theretofore and on behalf of the City of Muscle Shoals, Alabama, the Council thereon concurring with said terms and actions.

BE IT FURTHER ORDAINED that City Clerk shall prepare a copy of this Ordinance , certified as a true and correct copy thereof, and deliver a copy along with a fully executed copy of the entire Ordinance all interested parties and further shall maintain a copy in the City's records.

APPROVED and ADOPTED this the 6 day of November, 2023.

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.

**MINUTES FROM A WORK SESSION OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
November 6, 2023**

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 6th day of November 2023. 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. Mayor Mike Lockhart was also present. Brittney Walker, City Clerk/Treasurer, and Kate McCollister, Administrative Assistant/Marketing, were present and kept the minutes of the meeting.

Jalen Johnson, Director of HR/Assistant City Clerk, explained the overtime policy and that the goal was to create consistency throughout all departments.

Lee McIntyre, Assistant Athletic Director, presented a list of agreements between MSPR and MSCS regarding the use of the Gattman Park fields for the spring.

Shawn Malone, Fire Chief, discussed the purchase of a new fire truck. He explained that the equipment on the current truck would be transferred over to the new one.

Kathi Riley, Procurement Agent, discussed the purchase of a new garbage truck and presented the finalized price for purchase.

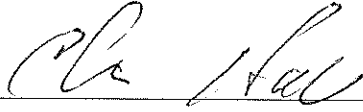
Will Edwards of Charter Communications presented an informational packet to the Mayor and Council regarding the franchise agreement with Spectrum.

The council reviewed agenda items.

There being no further business the meeting was adjourned at 5:42 p.m.

CITY OF MUSCLE SHOALS, ALABAMA

A Municipal Corporation



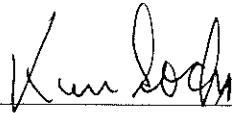
COUNCIL MEMBER – PLACE ONE



COUNCIL MEMBER – PLACE TWO



COUNCIL MEMBER – PLACE THREE

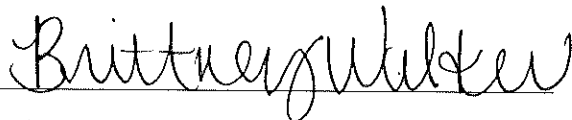


COUNCIL MEMBER – PLACE FOUR

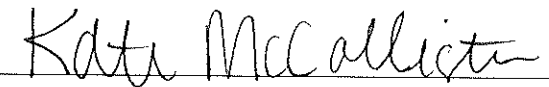


COUNCIL MEMBER – PLACE FIVE

ATTEST:



Brittney Walker, City Clerk/Treasurer



Kate McCollister, Administrative Assistant/Marketing

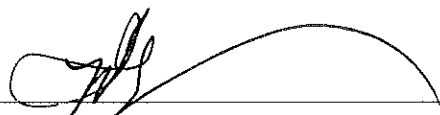
CITY OF MUSCLE SHOALS, ALABAMA
A Municipal Corporation



COUNCIL MEMBER – PLACE ONE




COUNCIL MEMBER – PLACE TWO



COUNCIL MEMBER – PLACE THREE



COUNCIL MEMBER – PLACE FOUR

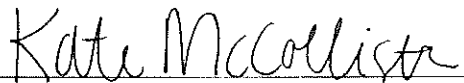


COUNCIL MEMBER – PLACE FIVE

ATTEST:



Brittney Walker, City Clerk/Treasurer



Kate McCollister, Administrative Assistant/Marketing

