

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

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:20 p.m. on the 16th day of October, 2020 being the scheduled time and place for said meeting. 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. Ricky Williams, City Clerk, was present and kept the minutes of the meeting.

The invocation was given by Sam South, Senior Class Chaplain at Muscle Shoals High School. Addison Reed, a student at Muscle Shoals Middle School led in the pledge of allegiance to the flag.

Upon motion duly made by Council Member Clark and seconded by Council Member Moore and unanimously adopted, the Council waived the reading of the minutes of the previously held organizational meeting and work session of November 2, 2020, and approved the minutes as written.

Mayor Lockhart thanked the various guests in attendance. He also reported on progress of the Dura project in Shoals Research Airpark and several retail opportunities that have developed.

President Sockwell announced that the next item of business was approval of a change order for contract days extension for the TAPAA-TA(909) sidewalk project. The request was made by Nelms & Gasque LLC for 45 additional days. City Engineer Brad Williams recommended the extension be granted.

Council Member Thompson moved that the extension be granted. Council Member Hall seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the contract extension had been approved.

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President Sockwell announced that the next item of business was award of the bid for lawn care services.

Council Member Moore introduced the following resolution and moved for its adoption:
STATE OF ALABAMA
COUNTY OF COLBERT

RESOLUTION NUMBER 3110 - 20

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

That the Purchasing Agent did send out advertisements for bids for lawn maintenance services at the locations of City Hall, Public Library, Police Department, Fire Station #1 to include Fire Annex Building and Haz-Mat Building, and Shoals Research Airpark; the bid opening being held the 29th day of October, 2020 at the City Hall of the City of Muscle Shoals, Alabama.

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

Name of Bidder	Monthly Price (Basis of Award)
Capstone Landscaping & Lawn Service	\$1,850.00
Coldwater Landscapes	\$3,470.00

BE IT FURTHER RESOLVED, that after an evaluation of the bid with the specifications and requirements, the lowest, responsive and responsible bidder has been determined as Capstone Landscaping & Lawn Service with a total monthly bid price of \$1,850.00, for a one year contract and options to renew the contract as outlined within the bid specifications for an additional two years.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the lowest, responsive and responsible bidder, Capstone Landscaping & Lawn Service, is now awarded the bid for lawn maintenance services.

Council Member Thompson seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the resolution had been approved.

President Sockwell announced that the next item of business was approval of a travel advance for the police department. Police Chief Reck appeared before the Council and requested a \$1,500 travel advance for Police Officer Brad Russell to attend the Police Academy.

Council Member Clark moved that the \$1,500 travel advance be approved. Council

Member Thompson seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the resolution had been approved.

President Sockwell announced that the next item of business was to set a public hearing to consider the adoption of an Ordinance to amend the Zoning Ordinance and Map of the City of Muscle Shoals, Alabama. President Noles announced that at a meeting to be held at the City Hall in said City at 6:00 p.m. on the 7th day of December, 2020, the Council will consider the adoption of an Ordinance to amend the Zoning Ordinance and Zoning Map of said City, the proposed Ordinance being as follows:

ORDINANCE NO. _____
AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND
ZONING MAP OF THE CITY OF MUSCLE SHOALS, ALABAMA

Be it ordained by the Council of the City of Muscle Shoals, Alabama, that the Zoning Ordinance and the Zoning Map of the City of Muscle Shoals, are hereby amended as follows:

That the following described area which are currently zoned R-3 and is hereby incorporated in and made a part of the B-2 District, to wit:

East 40 ft of lot 4936 and lot 4937, Highland Park #12

At said time and place, all persons who desire to do so shall have an opportunity of being heard in opposition to or in favor of the adoption of such Ordinance.

President Sockwell announced that the next item of business was the vacation of an alleyway between Hamilton Avenue and Broadway Avenue and as further described following.

Council Member Moore introduced the following resolution and moved for its adoption:

STATE OF ALABAMA

PETITION AND DECLARATION OF VACATION

COLBERT COUNTY

WHEREAS, the undersigned, are the owners of the of the following described tract of property abutting the alleyway sought to be vacated, to wit:

WHEREAS, tile above described properties abut the portions of Hamilton Avenue and Broadway Avenue as depicted on the attached map and abuts Lots 5676 and 5677 and Lots 5678 and 5679, all in Highland Park Subdivision Plat No. 13 and abutting Lots 6 through 10, Block D in Resurvey of the North Half of Block 7, Industrial View Heights, a subdivision recorded in

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Map Book 4, Page 84; and Lot 1, and Lots 5 through 19 of Industrial View Heights , a subdivision recorded in Map Book 2, Page 409;

The undersigned owners desire to vacate the alleyway lying between and abutting the about described lots and as shown on the attached map., more specifically described as a 20' alleyway lying between and abutting Lots 5676 and 5677 and Lots 5678 and 5679, all in Highland Park Subdivision Plat No. 13 and a 37.5' alleyway lying between and abutting Lots 6 through 10, Block D in Resurvey of the North Half of Block 7, Industrial View Heights, a subdivision recorded in Map Book 4, Page 84; and Lot 1, and Lots 5 through 19 of Industrial View Heights , a subdivision recorded in Map Book 2, Page 409;

NOW, THEREFORE, PREMISES CONSIDERED, the undersigned does hereby declare the following portions of alleyways to be vacated, to wit:

1) That certain 20 foot alley between Lots 5676 through 5677 and Lots through 5678 and 5679, all in Highland Park Subdivision Plat No. 13 according to the map or plat of said subdivision as recorded in the Office of the Judge of Probate of Colbert County, Alabama in Map Book 2, Page 123.

And

2) That certain 37.5 foot alley between abutting Lots 6 through 10, Block D in Resurvey of the North Half of Block 7, Industrial View Heights, a subdivision recorded in Map Book 4, Page 84; and Lot 1, and Lots 5 through 19 of Industrial View Heights , a subdivision recorded in Map Book 2, Page 409;

SUBJECT TO any existing utility easements and the reservation of a utility easement by the Muscle Shoals Electric Department.

The undersigned owners hereby request that the City Council of Muscle Shoals consent to, approve, ratify and confirm the vacation of the above described portion of said alleyways as described herein and, further, to authorize conveyance by quit-claim deed, to the respective owners of the right, title and interest of the City of Muscle Shoals, Alabama, in and to one-half of the hereinabove described alleyway abutting their said property

IN WITNESS WHEREOF, the undersigned owners have has caused this instrument to be duly executed on this 29th day of October 2020.

s/ David Colston
s/ Tracy Colston
s/ David Morrow
s/ Tommy Counts, Trustee
s/ Larry G. Barker
s/ Mary L. Barker
s/ Jimmy Matthews
s/ James Goins

s/ Betty J. Goins
s/ Billy Crosswhite
s/ Peggy Crosswhite
s/ Maxwell Raybon
s/ Candace Raybon
s/ Jonathan W. Sanders
s/ Whitney Sanders

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3111 - 20

WHEREAS, the City Council of Muscle Shoals, Alabama finds that all of the Petitioners are the owner of all of the lots and properties in Lots 5678 and 5679 in Highland Park Subdivision Plat No. 13; Lots 6 through 10, Block D in Resurvey of the North Half of Block 7, Industrial View Heights; and Lot 1 and Lots 5 through 19 of Industrial View abutting the portions of an east-west alleyway hereinafter described with particularity; said Petitioner being desirous of vacating said portions of the east-west alleyway, have presented its signed Petition and Declaration of Vacation of said portions the east-west alleyway 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 east-west alleyway to be vacated are more particularly described as follows:

That certain 20 foot alley between Lots 5676 through 5677 and Lots through 5678 and 5679, all in Highland Park Subdivision Plat No. 13 according to the map or plat of said subdivision as recorded in the Office of the Judge of Probate of Colbert County, Alabama in Map Book 2, Page 123

That certain 37.5 foot alley between abutting Lots 6 through 10, Block D in Resurvey of the North Half of Block 7, Industrial View Heights, a subdivision recorded in Map Book 4, Page 84; and Lot 1, and Lots 5 through 19 of Industrial View Heights, a subdivision recorded in Map Book 2, Page 409;
Subject to reservation of easements for the installation and maintenance of public utilities.

WHEREAS, the aforesaid Petitioner, as the owner of all property abutting the said portions of the east-west alleyway 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 east-west alleyway are located, such means of ingress and egress being afforded by the remaining dedicated streets in the area.

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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 east-west alleyway herein above described.

BE IT FURTHER RESOLVED that the City of Muscle Shoals, Alabama, a municipal corporation, remise, release, and quit-claim to the various owners one-half of that certain portion of the vacated alleyway abutting and adjoining their parcel of property, to whatever right, title and interest the City of Muscle Shoals, Alabama may have in and to the above described portions of the said east-west alleyway and that the Mayor, Mike Lockhart, is hereby authorized to execute and deliver said quit-claim deed to for and on behalf of the City of Muscle Shoals, Alabama.

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

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

Nays: None

President Sockwell announced that the motion for approval of the Resolution was approved unanimously.

President Sockwell announced that the next item of business was consideration of resolution to abandon a portion of an easement on Lot No. 9, CYPRESS VIEW SUBDIVISION.

Council Member Clark introduced the following resolution and moved for its adoption:
STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3112 - 20

WHEREAS, the City Council of the City of Muscle Shoals, Alabama has reviewed a recommendation from the City's Building Department for an abandonment of an easement pertaining to the hereinafter described portion of Lot 9, CYPRESS VIEW SUBDIVISION, a subdivision as shown on the plat thereof recorded in Plat Cabinet C, Slide 44 in the Office of the Judge of Probate of Colbert County, Alabama; and

WHEREAS, the City's Building official has reviewed the request and determined that such an abandonment of the portion of the easement sought will not adversely affect the City's drainage or utility operations; and

WHEREAS, the City Council finds that other instruments and related documents may be required in connection with the said abandonment of the portion of the easement and is desirous of authorizing the execution and delivery of other instruments and related documents in connection with said request as herein above described;

BE IT HEREBY RESOLVED that the City Council of the City of Muscle Shoals, Alabama does hereby approve, consent to and ratify the abandonment of that certain portion of the easements hereinafter and does hereby abandon same, said portion of the easement abandoned hereby is more particularly described as follows, to wit:

The 10' utility easement along the Southeasterly portion of the following described property, to wit:

Lot No. 9, CYPRESS VIEW SUBDIVISION, known and designated according to the plat thereof prepared by S. K. Alexander, as the same appears of record in the office of the Judge of Probate of Colbert County, Alabama, in Plat Cabinet C, Slide 44.

LESS AND EXCEPT, therefrom, the following portion of Lot 9, to-wit: Begin at the Southmost corner of Lot 9, said point also being the Southwest corner of Lot 10 in Cypress View Subdivision; thence along the South line of Lot 9, N 54 degrees 00 minutes W 28.95 feet to a point; thence N 10 degrees 35 minutes 50 seconds E 133.99 feet to a point on the South line of Cypress Lane, said point being the Northwest corner of Lot 10, Cypress View Subdivision; thence along the lot line between Lots 9 and 10, S 0 degrees 28 minutes W 148.66 feet to the point of beginning of the tract of land hereby described.

BE IT FURTHER 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 and any all documents that may be required or necessary to affect the abandonment of said portion of the said easement described herein for and on behalf of the City of Muscle Shoals, Alabama; and;

BE IT FURTHER RESOLVED that a certified copy of this Resolution be prepared forthwith by the Clerk and cause a copy of same to be filed for record in the Office of the Judge of Probate of Colbert County, Alabama; delivered to the various utility boards and departments within the City and furthermore shall retain a copy to be kept on file by the said Clerk.

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

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

Nays: None

President Sockwell announced that the motion for approval of the Resolution was approved unanimously.

President Sockwell announced that the next item of business was consideration of an ordinance to establish the Rules of Procedure for the city council meetings.

City Attorney Marcel Black announced that the proposed ordinance was introduced at the November 2, 2020 organizational meeting and had failed to receive unanimous consent for immediate consideration and was carried over to this meeting.

Council Member Clark moved that the following ordinance be approved:

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 Thursday 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 Thursday

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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: Ms. Clark; Mr. Thompson; Mr. Sockwell

Nays: Mr. Hall, Mr. Moore

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

President Sockwell announced that the next item of business was consideration of a resolution appointing Mayor Lockhart to the Colbert Animal Services Board.

Council Member Moore introduced the following resolution and moved for its adoption:
STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3113 - 20

WHEREAS, the City of Muscle Shoals, Alabama is a member of the Colbert Animal Services Authority, and

WHEREAS, the City Council previously appointed Mayor David Bradford to serve on the Board of Directors of said Authority; and

WHEREAS, Mayor Bradford's term as Mayor expired on November 2, 2020, now

THEREFORE BE IT Resolved by the City Council of the City of Muscle Shoals, Alabama that Mayor Mike Lockhart be appointed to the Board of Directors of the Colbert Animal Services Authority, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be prepared forthwith by the Clerk and delivered to the authority;

Council Member Thompson seconded the motion and upon said motion being put to a

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vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the resolution had been approved.

President Sockwell announced that the next item of business was consideration of a resolution appointing Mayor Lockhart to the Shoals Solid Waste Disposal Authority.

Council Member Clark introduced the following resolution and moved for its adoption:

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 3114 - 20

WHEREAS, the City of Muscle Shoals, Alabama is a member of the Shoals Solid Waste Disposal Authority, and

WHEREAS, the City Council previously appointed Mayor David Bradford to serve on the Board of Directors of said Authority; and

WHEREAS, Mayor Bradford's term as Mayor expired on November 2, 2020, now

THEREFORE BE IT Resolved by the City Council of the City of Muscle Shoals, Alabama that Mayor Mike Lockhart be appointed to the Board of Directors of the Shoals Solid Waste Disposal Authority, for a term expiring on January 3, 2023, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be prepared forthwith by the Clerk and delivered to the authority;

Council Member Thompson seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the resolution had been approved.

President Sockwell announced that the next item of business was consideration of a resolution appointing Mayor Lockhart to the Solid Waste Disposal Authority of Cities of Muscle Shoals, Tuscumbia and Sheffield, Alabama.

Council Member Thompson introduced the following resolution and moved for its adoption:

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 3115 - 20

WHEREAS, the City of Muscle Shoals, Alabama is a member of the Solid Waste Disposal Authority of Cities of Muscle Shoals, Sheffield, and Tuscumbia, Alabama, and,

WHEREAS, the City Council previously appointed Mayor David Bradford to serve on the Board of Directors of said Authority; and,

WHEREAS, Mayor Bradford's term as Mayor expired on November 2, 2020, now

THEREFORE BE IT Resolved by the City Council of the City of Muscle Shoals, Alabama that Mayor Mike Lockhart be appointed to the Board of Directors of the Solid Waste Disposal Authority of Cities of Muscle Shoals, Sheffield, and Tuscumbia, Alabama, for a term expiring on January 21, 2021, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be prepared forthwith by the Clerk and delivered to the authority;

Council Member Moore seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Sockwell announced that the resolution had been approved

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
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7. Comments of the public
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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:

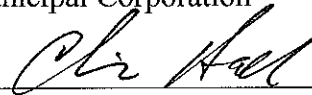
Ayes: Council Member Hall, Council Member Clark, Council Member Thompson,
Council Member Sockwell

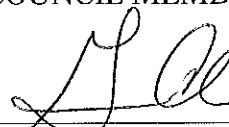
Nays: Council Member Moore

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

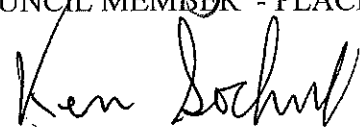
There being no further business to come before the meeting, upon the motion duly made and seconded the meeting was adjourned.

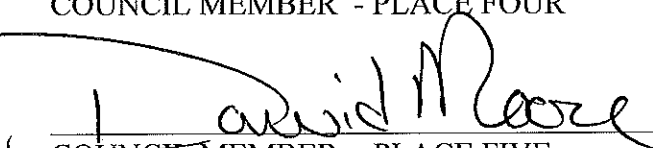
CITY OF MUSCLE SHOALS, ALABAMA
a Municipal Corporation


COUNCIL MEMBER - PLACE ONE

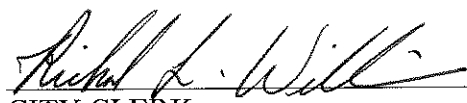

COUNCIL MEMBER - PLACE TWO


COUNCIL MEMBER - PLACE THREE


COUNCIL MEMBER - PLACE FOUR


COUNCIL MEMBER - PLACE FIVE

ATTEST:


CITY CLERK

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