

**MINUTES OF THE
SCOTTSBORO CITY COUNCIL
FEBRUARY 27, 2017**

The City Council of the City of Scottsboro, Alabama met on February 27, 2017 at 6:00 p.m. in the Gail J. Duffey Auditorium of the Scottsboro City Hall.

The meeting was called to order by Council President Tony Wallingsford. Invocation was given by Council Member Gary Stewart. Pledge of Allegiance was led by Council Member Jessica Butler. The roll was called by the City Clerk Whitney Phillips with the following results:

Present:	Council President:	Tony Wallingsford
	Council Members:	Keith Smith Jessica Butler Patrick Stewart Gary Stewart
Absent:		none

Also present were Mayor Robin Shelton, City Attorney Stephen Kennamer, and City Clerk Whitney Phillips.

Council President Tony Wallingsford called for a motion to adopt the agenda as prepared. Motion was made by Council Member Patrick Stewart and was seconded by Council Member Gary Stewart. No discussion. Upon vote being taken all voted aye. The Council President declared the agenda adopted.

A motion was made by Council Member Patrick Stewart and was seconded by Council Member Jessica Butler to approve the Minutes of February 13, 2017. No Discussion. Upon a vote being taken all members voted aye. The Minutes were declared adopted by Council President Tony Wallingsford.

OLD BUSINESS:

NONE

NEW BUSINESS

**CONSIDER ORDINANCE 593: AMENDING 220 & 406:
PERTAINING TO OFFENSES AGAINST THE CITY**

ORDINANCE #593

**AN ORDINANCE AMENDING ORDINANCE'S NO. 220 AND 406 OF THE CITY
PRESCRIBING CERTAIN OFFENSES AGAINST THE CITY OF SCOTTSBORO
AND FIXING THE PUNISHMENTS FOR VIOLATIONS OF THIS ORDINANCE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCOTTSBORO, ALABAMA, as follows:

(a) Any person or corporation committing an offense within the corporate limits of the city or within the police jurisdiction thereof, which is declared by a law or laws of the state now existing or hereafter enacted to be a misdemeanor, shall be guilty of an offense against the city.

(b) Any person or corporation committing an offense within the corporate limits of the city or within the police jurisdiction, shall be guilty of an offense against the city.

(c) Any person or corporation committing within the corporate limits of the city or within the police jurisdiction thereof, an offense as defined by Code of Ala. 1975 §13A-1-2, which offense is not declared by a law or laws of the state now existing or hereafter enacted to be a felony, misdemeanor, or violation, shall be guilty of an offense against the city.

(d) Any person or corporation found to be in violation of subsections (a), (b) or (c) of this section shall, upon conviction, be punished by a fine of not less than \$1.00 nor more than \$500.00, except where otherwise provided by state law for the violation of municipal offenses, and/or may be imprisoned or sentenced to hard labor for the city for a period not exceeding six (6) months, at the discretion of the court trying the case. Any corporation found to be in violation of subsections (a), (b) or (c) of this section shall, upon conviction, be punished by a fine of not less than \$1.00 nor more than \$500.00, except where otherwise provided by state law for the violation of municipal offenses, at the discretion of the court trying the case.

(e) Any person found to be in violation of this ordinance for the commission of an offense as defined in Code of Ala. 1975, §32-5A-191 shall, upon conviction, be punished in accordance with the provisions of Code of Ala. 1975, §32-5A-191.

(f) Any ordinance heretofore adopted by the City Council of the City of Scottsboro, Alabama which is in conflict with this ordinance is repealed to the extent of such conflict.

(g) This ordinance shall become effective upon passage by the City Council, approval of the Mayor and publication as required by law.

ADOPTED AND APPROVED on this the 27th day of February, 2017.

CITY OF SCOTTSBORO, ALABAMA

By: _____
President of City Council

ATTEST:

Whitney Phillips, City Clerk

TRANSMITTED to and approved by the Mayor of the City of Scottsboro, Alabama, on the 28th day of February, 2017.

By: _____
It's Mayor, William R. Shelton

S E A L

ATTEST:

Whitney Phillips, City Clerk

Council President Tony Wallingsford called for a motion to approve Ordinance 593. Motion was made by Council Member Patrick Stewart and seconded by Council Member Gary Stewart. No Discussion. Upon a vote being taken all members voted aye.

**CONSIDER RESOLUTION 2017-02-08: AWARD 95 GALLON
CONTAINER BID**

RESOLUTION 2017-02-08

WHEREAS, The City of Scottsboro, Alabama’s Solid Waste Department is in need of 95 gallon refuse containers, and.

WHEREAS, Section 41-16-50 through 41-16-63, Code of Alabama 1975 authorizes the municipal governing body to secure sealed bids; and

WHEREAS, Section 11-45-2(c) of the Alabama Code of 1975 authorizes the municipal governing body to accept bids by the adoption of a resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Scottsboro, Alabama as follows:

Section 1. That the City of Scottsboro posted one (1) bid, mailed two (2) bids by US Postal Service, and received two (2) bids for the 95 gallon refuse containers.

Schaefer Systems Int’l (Charlotte, NC)	\$51.50/unit
OTTO Environmental Systems (Charlotte, NC)	No Bid

Section 2. It is recommended by the Bid Review Committee that the bid be awarded to Schaefer Systems as the lowest responsible bidder that met specifications.

Adopted this the 27th day of February, 2017.

Council President, Tony Wallingsford

City Clerk, Whitney Phillips

Council President Tony Wallingsford called for a motion to approve Resolution 2017-02-08. Motion was made by Council Member Gary Stewart and seconded by Council Member Keith Smith. No Discussion. Upon a vote being taken all members voted aye.

**CONSIDER RESOLUTION 2017-02-09: AUTHORIZE
MUNICIPAL JUDGE TO DEVELOP A COMMUNITY
SERVICE PROGRAM**

RESOLUTION 2017-02-09

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

1. The City Council of the City of Scottsboro does hereby authorize and request the Municipal Judge to develop a trial alternative sentencing/community service program for poor and/or indigent defendants in the Municipal Courts of Scottsboro, Alabama.

2. The Municipal Judge is requested submit a report on said matters as soon as it may be practicable.

RESOLVED this the 27th day of February, 2017.

President of City Council

ATTEST:

CITY CLERK

Council President Tony Wallingsford called for a motion to approve Resolution 2017-02-09. Motion was made by Council Member Jessica Butler and seconded by Council Member Patrick Stewart. Council member Smith asked if the Municipal Judge will have to submit a report on the program to be approved. Mr. Kennamer replied that is the understanding. Upon a vote being taken all members voted aye.

**CONSIDER RESOLUTION 2017-02-10: AWARD MOWING
CONTRACT BID**

RESOLUTION 2017-02-10

WHEREAS, The City of Scottsboro, Alabama is in need of Mowing Services, and

WHEREAS, Section 41-16-50 through 41-16-63, Code of Alabama 1975 authorizes the municipal governing body to secure sealed bids; and

WHEREAS, Section 11-45-2(c) of the Alabama Code of 1975 authorizes the municipal governing body to accept bids by the adoption of a resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Scottsboro, Alabama as follows:

Section 1. That the City of Scottsboro posted one (1) bid, three (3) bid packets were picked up at the pre-bid meeting, and three (3) bids were received for the mowing service.

	<u>Per Year</u>
1. Custom Lawn Services (Scottsboro, AL)	46,299.03
2. GE Lawncare (Henagar, AL)	46,150.00
3. Right-Way Services (Scottsboro, AL)	43,885.00

Section 2. It is recommended by the Bid Review Committee that the bid be awarded to Right Way Services for a term of one (1) year as the lowest responsible bidder that met specifications.

Adopted this the 27th day of February, 2017.

Council President, Tony Wallingsford

City Clerk, Whitney Phillips

Council President Tony Wallingsford called for a motion to approve Resolution 2017-02-10. Motion was made by Council Member Keith Smith and seconded by Council Member Gary Stewart. No Discussion. Roll Call vote was taken with the following results:

Jessica Butler	Yes
Patrick Stewart	Yes
Keith Smith	Yes
Gary Stewart	Yes
Tony Wallingsford	Yes

Motion carried.

**CONSIDER NORTH ALABAMA ELECTRIC COOPERATIVE
FRANCHISE AGREEMENT**

Council President Tony Wallingsford called for a motion to approve the North Alabama Electric Cooperative Franchise Agreement. Motion was made by Council Member Patrick Stewart and seconded by Council Member Keith Smith. There was little discussion. Roll Call vote was taken with the following results:

Jessica Butler	Yes
Patrick Stewart	Yes
Keith Smith	Yes
Gary Stewart	Yes
Tony Wallingsford	Yes

Motion carried.

**CONSIDER AGREEMENT WITH MUNICODE FOR
CODIFICATION SERVICES**

Council President Tony Wallingsford called for a motion to approve the agreement with Municode for Codification Services. Motion was made by Council Member Keith Smith and seconded by Council Member Patrick Stewart. No Discussion. Upon a vote being taken all members voted aye.

REPORTS AND ANNOUNCEMENTS

There were no delegations.

Mayor Robin Shelton had nothing to report.

Council Member Patrick Stewart announced he had finally won an award at the Chili Challenge over the weekend. They had a great turnout. Also thanks to Eddie and Mayor for their quick response to complaints of potholes at Bynum Field.

Council Members Jessica Butler, Keith Smith and Gary Stewart had nothing to report.

Council President Tony Wallingsford congratulated Patrick Stewart.

There being no further business to come before the Council at this time, Council President Tony Wallingsford entertained a motion to adjourn. Motion was made by Council Member Gary Stewart and seconded by Council Member Keith Smith. All members voted aye. Council President Wallingsford declared the meeting adjourned at 6:17 pm.

Date Approved: March 20, 2017

CITY OF SCOTTSBORO

Tony Wallingsford, Council President

Attest:

Whitney Phillips, City Clerk

Robin Shelton, Mayor

SEAL
ATTEST:

Whitney Phillips, City Clerk