

**MINUTES OF THE  
SCOTTSBORO CITY COUNCIL  
NOVEMBER 14, 2018**

The City Council of the City of Scottsboro, Alabama met on November 14, 2018 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 Patrick Stewart. Invocation given by City Attorney Stephen Kennamer. Pledge of Allegiance led by Council Member Mike Ashburn. The roll was called by the City Clerk Whitney Phillips with the following results:

Present:	Council President:	Patrick Stewart
	Council Members:	Richard Bailey Greg Mashburn Gary Stewart Mike Ashburn
Absent:		none

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

Council President Patrick Stewart added Item 6: Resolution 2018-11-44 and Item 7: Executive Session to the agenda. He then called for a motion to adopt the agenda as amended. Motion was made by Council Member Mike Ashburn 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 Greg Mashburn and was seconded by Council Member Gary Stewart to approve the Minutes of October 22, 2018. No Discussion. Upon a vote being taken all members voted aye. The Minutes were declared adopted by the Council President.

**OLD BUSINESS:**

NONE

**NEW BUSINESS**

**CONSIDER RESOLUTION 2018-11-41: SURPLUS STREET  
DEPARTMENT PROPERTY**

**RESOLUTION 2018-11-41**

**WHEREAS**, the City of Scottsboro, Alabama's Street Department has certain items of personal property which are no longer needed for public or municipal purposes: and,

**WHEREAS**, Section 11-43-56 of the Alabama Code of 1975 authorizes the municipal governing body to dispose of unneeded personal property;

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

**Section 1.** That the following personal property owned by the City of Scottsboro, Alabama is not needed for public or municipal purposes:

Asset ID 3928

2004 Western Star Dump Truck

Vin #5KKHAECG74PM71922

**Section 2.** That the Mayor and City Clerk and they hereby are, authorized and directed to dispose of the property owned by the City of Scottsboro described in Section 1, above, by selling to the Jackson County Public Works or placing on Gov Deals.

**Adopted and Approved this the 14<sup>th</sup> day of November, 2018.**

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**Patrick Stewart, Council President**

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**Whitney Phillips, City Clerk**

Council President Patrick Stewart called for a motion to approve Resolution 2018-11-41. Motion was made by Council Member Gary Stewart and seconded by Council Member Richard Bailey. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER RESOLUTION 2018-11-42: SURPLUS FIRE  
DEPARTMENT PROPERTY**

**RESOLUTION 2018-11-42**

**WHEREAS,** the City of Scottsboro, Alabama's Fire Department has certain items of personal property which are no longer needed for public or municipal purposes: and,

**WHEREAS,** Section 11-43-56 of the Alabama Code of 1975 authorizes the municipal governing body to dispose of unneeded personal property;

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

**Section 1.** That the following personal property owned by the City of Scottsboro, Alabama is not needed for public or municipal purposes:

Asset ID 001770	Hurst brand Hydraulic Power Unit	S/N E007498
Asset ID 003583	Hurst brand Vehicle Extrication Cutter	S/N 128415
Asset ID 001846	Hurst brand Vehicle Extrication Spreader	S/N N2663
Asset ID 001779	Hurst brand Vehicle Extrication Ram	S/N 111235

**Section 2.** That the Mayor and City Clerk and they hereby are, authorized and directed to dispose of the property owned by the City of Scottsboro described in Section 1, above, by offering to Section Volunteer Fire Department, then other county departments, beginning with mutual aid departments adjoining our jurisdiction. Any equipment remaining will be placed on Gov Deals.

**Adopted and Approved this the 14<sup>th</sup> day of November, 2018.**

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**Patrick Stewart, Council President**

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**Whitney Phillips, City Clerk**

Council President Patrick Stewart called for a motion to approve Resolution 2018-11-42. Motion was made by Council Member Greg Mashburn and seconded by Council Member Mike Ashburn. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER RESOLUTION 2018-11-43: SUPPORT  
MEMORANDUM OF UNDERSTANDING FOR THE  
SCHOOL RESOURCE OFFICER FUNDING PROGRAM**

**RESOLUTION 2018-11-43**

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

1. The Mayor and City Clerk are authorized and directed to execute the attached Memorandum of Understanding between the City, the Scottsboro Board of Education and the Scottsboro Water, Sewer and Gas Board of the City of Scottsboro, Alabama, for a voluntary School Resource Officer contribution program.
2. The funds collected by the voluntary SRO contribution program shall be deposited into a special account earmarked for Scottsboro's SRO program. The special account shall be controlled by the Finance Director under the direction of the Mayor and Police Chief to support the SRO program for salaries, benefits, and equipment only.

**RESOLVED** this the 14<sup>th</sup> day of November, 2018.

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President of City Council

ATTEST:

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City Clerk

Council President Patrick Stewart called for a motion to approve Resolution 2018-11-43. Motion was made by Council Member Mike Ashburn and seconded by Council Member Gary Stewart. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER APPROVAL OF THE LED LIGHTING  
CONVERSION FOR THE SOLID WASTE BUILDINGS**

Council President Patrick Stewart called for a motion to approve the LED Lighting Conversion proposal and a 2017-2018 budget amendment in the amount of \$9,400. Motion was made by Council Member Greg Mashburn and seconded by Council Member Richard Bailey. No Discussion. Upon a vote being taken all members voted Aye.

**ANNOUNCE PLANNING COMMISSION VACANCY**

John Hardman's position on the Planning Commission expires in November 2018. This is a 6 year term. Anyone interested should apply in writing to the City Clerk's office by November 30, 2018.

**CONSIDER RESOLUTION 2018-11-44: BOND ISSUE  
REIMBURSEMENT RESOLUTION RELATED TO THE  
LANDFILL EXPANSION**

**RESOLUTION 2018-11-44**

**BE IT RESOLVED** by the City Council (the "Council") of the City of Scottsboro, Alabama (the "City"), in the State of Alabama as follows:

**Section 1. Findings.** The Council has ascertained and does hereby find and declare as follows:

(a) the City is in the process of planning the design, construction and financing of various public capital improvements and equipment in the City, including, without limitation, solid waste and landfill department improvements (the "Improvements");

(b) the City intends to issue not more than \$6,000,000 aggregate principal amount of its General Obligation Warrants, Series 2019 (whether in one or more series, the "Warrants"), for the purpose of paying the costs of acquiring, providing, equipping and constructing the Improvements and of paying the costs of issuing the Warrants;

(c) the City expects to issue the Warrants by not later than September 30, 2019;

(d) prior to the issuance of the Warrants, the City expects to incur certain costs in connection with the Improvements and proposes to expend certain moneys in payment of such costs prior to the issuance of the Warrants;

(e) the City expects to allocate to itself, from the proceeds of the Warrants, moneys to reimburse the City for the expenditures made prior to the date of issuance of the Warrants; and

(f) expenditures with respect to the acquisition, provision, equipping and construction of the Improvements will be paid by the City out of its general fund pending the issuance of the Warrants.

**Section 2. Official Intent.** The City hereby declares its official intent to allocate a portion of the proceeds of the Warrants to reimburse the general fund of the City for expenditures incurred after the date that is no more than sixty (60) days prior to the date of the adoption of this resolution, but prior to the issuance of the Warrants, in connection with the acquisition, provision, equipping and construction of the Improvements. This resolution is being adopted pursuant to the requirements of the Internal Revenue Code of 1986, as amended, and Treasury Regulations Section 1.150-2(e) promulgated thereunder.

**BE IT RESOLVED** by the City Council (the "Council") of the City of Scottsboro, Alabama (the "City"), in the State of Alabama as follows:

**Section 3. Findings.** The Council has ascertained and does hereby find and declare as follows:

(a) the City is in the process of planning the design, construction and financing of various public capital improvements and equipment in the

City, including, without limitation, solid waste and landfill department improvements (the "Improvements");

(b) the City intends to issue not more than \$6,000,000 aggregate principal amount of its General Obligation Warrants, Series 2019 (whether in one or more series, the "Warrants"), for the purpose of paying the costs of acquiring, providing, equipping and constructing the Improvements and of paying the costs of issuing the Warrants;

(c) the City expects to issue the Warrants by not later than September 30, 2019;

(d) prior to the issuance of the Warrants, the City expects to incur certain costs in connection with the Improvements and proposes to expend certain moneys in payment of such costs prior to the issuance of the Warrants;

(e) the City expects to allocate to itself, from the proceeds of the Warrants, moneys to reimburse the City for the expenditures made prior to the date of issuance of the Warrants; and

(f) expenditures with respect to the acquisition, provision, equipping and construction of the Improvements will be paid by the City out of its general fund pending the issuance of the Warrants.

**Section 4. Official Intent.** The City hereby declares its official intent to allocate a portion of the proceeds of the Warrants to reimburse the general fund of the City for expenditures incurred after the date that is no more than sixty (60) days prior to the date of the adoption of this resolution, but prior to the issuance of the Warrants, in connection with the acquisition, provision, equipping and construction of the Improvements. This resolution is being adopted pursuant to the requirements of the Internal Revenue Code of 1986, as amended, and Treasury Regulations Section 1.150-2(e) promulgated thereunder.

**RESOLVED** this the 14<sup>th</sup> day of November, 2018.

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President of City Council

ATTEST:

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City Clerk

Council President Patrick Stewart called for a motion to approve Resolution 2018-11-44. Motion was made by Council Member Mike Ashburn and seconded by Council Member Greg Mashburn. No discussion. Upon a vote being taken all members voted aye.

### **EXECUTIVE SESSION TO DISCUSS GOOD NAME & CHARACTER OF AN INDIVIDUAL**

Council President Patrick Stewart called for a motion to enter into Executive Session to discuss the good name and character of an individual. Motion was made by Council Member Greg Mashburn and seconded by Council Member Richard Bailey. No discussion. Upon a vote being taken all members voted aye. The Council Members, Mayor, and City Attorney entered into Executive Session.

The Council, Mayor, and City Attorney returned from Executive Session. Council President Patrick Stewart called for a motion to rise from Executive Session. Motion was made by Council Member Richard Bailey and seconded by Council Member Greg Mashburn. No discussion. Upon a vote being taken all members voted aye. City Attorney Stephen Kennamer certified that no votes were taken and no decisions made pursuant to the Open Meetings Act.

## **REPORTS AND ANNOUNCEMENTS**

There were no delegations.

Mayor Robin Shelton had nothing to report.

Council Member Greg Mashburn gave a Landfill report from CDG Engineers.

Council Members Richard Bailey, Mike Ashburn and Gary Stewart had nothing to report.

Council President Patrick Stewart also had nothing to report.

There being no further business to come before the Council at this time, Council President Patrick Stewart called for a motion to adjourn. Motion was made by Council Member Gary Stewart and seconded by Council Member Mike Ashburn. Upon a vote being taken all members voted aye. Meeting adjourned at 6:55 pm.

Date Approved: November 26, 2018

### **CITY OF SCOTTSBORO**

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Patrick Stewart, Council President

Attest:

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Whitney Phillips, City Clerk

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Robin Shelton, Mayor

ATTEST:

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Whitney Phillips, City Clerk