

**Minutes  
Scottsboro City Council  
May 22, 2006**

The City Council of the City of Scottsboro, Alabama met in regular session on May 22, 2006.

The roll was called with the following results:

Present:	Council President:	Harold Brookshire
	Council Member:	Matthew Hodges Jim Boatner Jim Helms Buddy Simmons
Absent:		None

Mayor Dan Deason, City Clerk Gail Duffey and Attorney Stephen Kennamer were also present.

The Council President stated a quorum was present and the meeting was open for the transaction of business.

The agenda was approved as prepared by the Council President.

**BID OPENING FOR SKATEPARK EQUIPMENT  
FOR THE RECREATION DEPARTMENT**

Having requested bids for Skate park Equipment for the Recreation Dept., the following were received and opened prior to the Council Meeting.

American Ramp Company  
PRS Play Park

Each company was to bid on 41 items each. American Ramp Company bid on each individual item. PRS Play Park did not meet specifications. All bids are on file at the Recreation Dept. and the Purchasing Agent Office.

Upon the recommendation of the bid review committee, motion was made by Council Member Matthew Hodges and seconded by Council Member Buddy Simmons to award the Skate park bid to American Ramp Company as the lowest responsible bidder that met specifications and that the Recreation Director be able to select the pieces that is needed that will fit in the budget and that Council Member Hodges advises Ms. Yockel on the selections of equipment. There is approximately \$65,000.00 in the budget for this equipment. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The following Resolution was introduced by Council Member Jim Helms and read in full by the Clerk.

**RESOLUTION**

**Jackson County Natural Hazard Mitigation Plan as Amended May 2006**

**WHEREAS**, in the Disaster Mitigation Act of 2000, the Congress of the United States determined that counties and municipalities should prepare and adopt plans for the mitigation of the effects of natural hazards, and;

**WHEREAS**, the Jackson County Emergency Management Agency, in cooperation with the Federal Emergency Management Agency and the Alabama Emergency Management Agency, and with the assistance of the Top of Alabama Regional Council of Governments, prepared for adoption by the County Commission and the municipalities of Jackson County a natural hazard mitigation plan; and

**NOW, THEREFORE BE IT RESOLVED** by the Scottsboro City Council that the Jackson County Natural Hazard Mitigation Plan as amended May 2006 is hereby adopted, in anticipation of revision and ongoing review, update and implementation in accordance with the provisions contained within the said Plan.

Resolved this 22<sup>nd</sup> day of May, 2006.

Motion to adopt the above Resolution was made by Council Member Jim Helms and seconded by

Council Member Buddy Simmons. Upon vote being taken, all voted aye. The Council President declared the motion carried.

### **AUTHORIZATION TO PROCEED WITH THE SCOTTSBORO-JACKSON COUNTY ANIMAL SHELTER**

Motion was made by Council Member Jim Helms and seconded by Council Member Matthew Hodges to authorize Mr. Ray Harris and the Animal Shelter Committee to move forward on the Scottsboro-Jackson County Animal Shelter and put the building out for bid. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The Clerk announced that the term of Tom Hancock had expired on the Public Park & Recreation Board and that Dr. Sam Holland had resigned from the Board effective immediately. The Clerk then reported that the following had applied for appointments to the Board.

William Guthier  
Tommy Sisk  
Jada Sumner

William Guthier was nominated for the 6 year term vacated by Mr. Hancock. Upon vote being taken the following voted aye:

Council Members Matthew Hodges, Jim Helms, Buddy Simmons and Jim Boatner.

Those voting nay: None

Those abstaining: Council President Harold Brookshire

Tommy Sisk was nominated for the unexpired term of Dr. Holland. Upon vote being taken the following voted aye:

Council Members Matthew Hodges, Jim Helms, Buddy Simmons, Jim Boatner and Council President Harold Brookshire.

Those voting nay: None

No vote was taken for Mr. Jada Sumner, however he was nominated.

The Council President declared Mr. William Guthier appointed to the six (6) year term to expire May 22, 2012, and Mr. Tommy Sisk was appointed to the unexpired term of Dr. Holland which will expire May 22, 2007.

The Council President announced that Melissa A. Bailey had applied for an alcoholic beverage license.

The Clerk announced that the name of the establishment is Club 400 Degrees, located at 106 Chestnut St. A personal background investigation was clear. Out of a survey of seven (7) there were five (5) no objections and two (2) no contacts. The nearest church and school met the required distance.

The license application was in order. The parking, floor space, health, fire, building and zoning inspections all comply. The type license applied for is a lounge operated in connection with a hotel, motel or restaurant.

The floor was opened for anyone wishing to speak for or against the license being issued. There was no one present to speak for or against the license being issued.

### **RESOLUTION FOR APPROVAL OF AN ALCOHOLIC BEVERAGE LICENSE FOR CLUB 400 DEGREES**

**BE IT RESOLVED**, by the City of Scottsboro as follows: that the City Council has received and reviewed the City application for Club 400 Degrees and finds and determines that a lounge operated in connection with a hotel, motel or restaurant is hereby approved for Club 400 Degrees this the 22<sup>nd</sup> day of May 2006.

Motion to adopt the above resolution was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The Council President announced that William K. McClendon had applied for an alcoholic beverage license.

The Clerk announced that the name of the establishment is Eastside Quick Mart located at 1007 East Willow Street. A personal background investigation was clear. The type license applied for is Retail Beer/Wine off premises. Out of a survey of seven (7) there was five (5) no objections and two (2) no contacts. The nearest school and church met the required distance. The license application is in order. There were no requirements for parking, floor space or health. The fire, building and zoning all comply.

**RESOLUTION FOR APPROVAL OF AN  
ALCOHOLIC BEVERAGE LICENSE  
FOR EASTSIDE QUICK MART**

**BE IT RESOLVED**, by the City of Scottsboro as follows: that the City has received and reviewed the city application for Eastside Quick mart and finds and determines that an off premises beer and wine license is hereby approved for Eastside Quick mart on this the 22<sup>nd</sup> day of May 2006.

Motion to adopt the above resolution was made by Council Member Jim Helms and seconded by Council Member Buddy Simmons. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The following Ordinance was introduced by Council Member Jim Helms and read in full by Attorney Steve Kenamer.

**ORDINANCE NO. 516**

**AN ORDINANCE OF THE CITY OF SCOTTSBORO, ALABAMA, TO EXEMPT CERTAIN "COVERED ITEMS" FROM THE MUNICIPAL SALES AND USE TAX DURING THE FIRST FULL WEEKEND OF AUGUST, 2006 AS AUTHORIZED BY ACT NUMBER 2006-574, GENERALLY REFERRED TO AS THE STATE SALES TAX HOLIDAY LEGISLATION AND OTHER MATTERS.**

Printed in Ordinance Book No. 4.

It was moved by Council Member Jim Helms that all rules and regulations, which unless suspended, would prevent the immediate consideration of said Ordinance be given. The motion was seconded by Council Member Buddy Simmons and was unanimously carried, those voting aye being:

Council President: Harold Brookshire

Council Members: Jim Helms  
Buddy Simmons  
Matthew Hodges  
Jim Boatner

Those voting nay: None

The Council President declared the motion carried.

After said Ordinance had been discussed and considered in full by the Council it was moved by Council Member Buddy Simmons that said Ordinance be now placed upon its final passage and adoption. The motion was seconded by Council Member Jim Helms. The question being put as to the adoption of said motion and the final passage and adoption of said Ordinance, the roll was called with the following results:

Those voting aye:

Council President: Harold Brookshire

Council Members: Buddy Simmons  
Jim Helms  
Matthew Hodges  
Jim Boatner

Those voting nay: None

The Council President thereupon declared the motion carried and said Ordinance No. 516 passed and was adopted as introduced and read.

### **JOB RECLASSIFICATIONS**

Motion was made by Council Member Jim Boatner and seconded by Council Member Matthew Hodges to re-classify the secretary job description at the Rec-Com and City Planning Department to Office Manager because of additional duties. Also re-classify the Aquatics Director from a 13 to 14 on the pay scale, and to approve the reclassification of the mechanic to mechanic/welder and herbicide position. This motion includes appropriate budget adjustment and personnel charts.

Upon vote being taken, the following voted aye:

Council Members:            Jim Boatner  
   Matthew Hodges  
   Buddy Simmons

Council President:        Harold Brookshire

Those voting nay:

Council Member:            Jim Helms

Council Member Helms said he voted no, not because he was opposed to the motion but felt that the two reclassifications in the Recreation Department should have been paid back pay to October. However, Attorney Kennamer said according to State Code, retroactive pay was not legal. The Council President declared the motion carried. The Change of Status and organizational charts are on file in the Human Resource office.

### **BUDGET AMENDMENT FOR THE FIRE DEPARTMENT**

Motion was made by Council Member Buddy Simmons and seconded by Council Member Jim Helms to increase the Fire Department budget in the amount of \$17,700.00. \$2700.00 is the estimated cost to run power to the new air compressor provided by the Homeland Security. \$15,000.00 is for a 4 ton unit to ventilate the attic space at Fire Station One. Upon vote being taken, all voted aye. The Council President declared the motion carried.

### **NEW POSITION CREATED AND JOB DESCRIPTION APPROVED**

Motion was made by Council Member Matthew Hodges and seconded by Council Member Jim Boatner to authorize a new position for a Chief Building Inspector and to approve a Job Description for this position. Job description is on file in the Human Resource Dept., Planning Dept. and City Clerk's office. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The following resolution was introduced by Council Member Jim Boatner and read in full by the Clerk.

### **RESOLUTION**

**WHEREAS**, the City of Scottsboro, Alabama 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:

### **SURPLUS PROPERTY**

1. 11-30' x 30" Bar Joist
2. Misc. pieces of duct work
3. 4-boxes 24" x 24" Drop-in Ceiling Registers
4. 20-12" x 12" Aluminum windows with glass (non-opening)
5. 28 misc. Aluminum window frames (white powder coated)

6. 200' est. 4" schedule 40 PVC pipe
7. 60-10' x 3/4 inch electrical conduit
8. 70-10' x 1/2 inch electrical conduit
9. Misc. metal electrical conduit connectors and junction boxes
10. 5-metal office desks
11. 1-chair
12. 1-Love seat
13. 1-Stinger II Steam Pressure Washer (condition unknown)
14. 150+ pieces steel wall studs (various lengths)
15. Mosley Conveyor Belt
16. Various Alum parts
17. Any and other supplies and materials not needed for the New City Hall Building

That the Mayor and City Clerk and they hereby are authorized to dispose of the property owned by the City of Scottsboro, Alabama as described in Section 1 above in a manner that would be of the best interest of the City and in accordance with the law.

Motion to adopt the above resolution was made by Council Member Jim Boatner and seconded by Council Member Jim Helms. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The Council President announced that the next Council Meeting would be on the third Monday rather than the second Monday due to three Council Members being out of town. Therefore, the Council Meeting will be June 19, 2006 following the Work Session.

There being no further business to come before the Council at this time, motion was made by Council Member Buddy Simmons and seconded by Council Member Jim Helms that the meeting be adjourned. Upon vote being taken, all voted aye.