

**Minutes
Scottsboro City Council
June 19, 2006**

The City Council of the City of Scottsboro, Alabama met in regular session on June 19, 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 and amended by the Council by adding one item.

The Minutes from the May 8, 2006 and May 23, 2006 Council Meetings were read and approved as read.

Scott Kellenberger was honored for stopping a person with a gun entering the Jackson County Courthouse with the intent of shooting an individual.

Mayor Deason read a statement from the Governor and presented him a plaque from the Governor's office.

Police Chief Smith presented Scott with a plaque, congratulating him on his actions at the courthouse.

Mayor Deason read a letter of appreciation from the Mayor's office.

The Council President announced that Vanessa Young had applied for an alcoholic beverage license.

The Clerk announced that the name of the establishment is Victory Fuels located at 3010 South Broad St. A background investigation was clear. Out of a survey of eight (8) there was one (1) objection, four (4) no objections and three (3) no contacts. The nearest church and school met the required distance.

The license application was in order. The parking, floor space and health requirements did not apply. The fire, building and zoning verifications were all met. The type license applied for was a retail beer off premise.

**RESOLUTION FOR APPROVAL OF AN
ALCOHOLIC BEVERAGE LICENSE
FOR VICTORY FUELS**

BE IT RESOLVED, by the City of Scottsboro as follows: that the City Council has received and reviewed the City application for Victory Fuels and finds and determines that an off premises beer license is hereby approved for Victory Fuels this the 19th day of June, 2006.

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

**BID OPENING FOR SUMMER PAVING
FOR THE STREET DEPARTMENT**

Having requested bids for the summer resurfacing or paving the following was received and opened prior to the Council Meeting.

Company	414A	416A	Milling	Milling	
Milling	Binder	Wearing	1”- 2”	2” - 4”	4” - 6”
Jackson Paving	45.00 ton	54.75 ton	1.65 sq yd	2.00 sq yd	2.40 sq yd

Upon the recommendation of the Bid Review Committee, motion was made by Council Member Jim Boatner and seconded by Council Member Buddy Simmons to award the bid to Jackson Paving Co. as the lowest responsible bidder that met specifications. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**BID OPENING FOR POOL CHEMICALS
FOR THE RECREATION DEPARTMENT**

Having requested bids for pool chemicals the following were received and opened prior to the Council Meeting:

Description	Anders Pool	Duffield
1. Hypochlorite (100 lbs)	124.99	178.95
2. Hypochlorite (tablets)	no bid	111.00
3. Chlorine Tablets (outdoor)	129.99	130.62
4. Sodium Thiosulfate	69.99	52.75
5. Sodium Bicarbonate	21.99	15.91
6. Soda Ash	21.99	16.05
7. Muriatic Acid	20.00	14.77
8. Aquacheck	12.99	5.18
9. Ph Minus	14.99	5.76
10. Stabilizer Conditioner	124.99	94.00
11. Algaecide	17.99	14.74
12. Filter Cleaner	13.99	11.16
13. Pool Perfect	245.09	146.10

Upon the recommendation of the Bid Review Committee, motion was made by Council Member Matthew Hodges and seconded by Council Member Jim Helms to award the bid to Duffield Pool as the lowest responsible bidder that met specifications. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**BID OPENING FOR THE ROLL-OFF CONTAINER
FOR THE SOLID WASTE DEPARTMENT**

Having requested bids for roll-off containers for the Solid Waste Department, the following were received and opened prior to the Council Meeting.

Description	Galbreath	Holt Ingram
1. 20 yd roll off containers	\$3,061.00	\$3,429.00
2. 40 yd roll off containers	\$3,989.00	\$4,204.00

Upon the recommendation of the Bid Review Committee, motion was made by Council Member Buddy Simmons and seconded by Council Member Jim Helms to award the bid to Galbreath as the lowest responsible bidder that met specifications. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**BID OPENING FOR A UTILITY VEHICLE
FOR THE SOLID WASTE DEPARTMENT**

Having requested bids for a Utility Vehicle for the Solid Waste Department the following were received and opened prior to the Council Meeting.

General Equipment Co.	\$12,000.00
Boykin Tractor	\$11,549.00

Upon the recommendation of the Bid Review Committee, motion was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges that the bid be awarded to Boykin Tractor as the lowest responsible bidder that met specifications. Upon vote being taken, all voted aye. The Council President declared the motion carried.

CHANGE ORDER FOR THE REC COM

Council Member Hodges presented the following Change Order for the Rec Com's new addition, stating the largest cost was for a fire alarm system required by the Fire Marshall.

Original Contract Sum		\$1,664,000.00
Net Total of Previous Change Orders	\$	0.00
Previous Revised Contract Sum		\$1,664,000.00
This Change Order Will		
<input checked="" type="checkbox"/> Increase <input type="checkbox"/> Decrease	The Contract Sum By	\$ 6,853.30
Revised Contract Sum, Including This Change Order		\$1,670,853.30

Motion was made by Council Member Matthew Hodges and seconded by Council Member Jim Boatner to approve the Rec Com Change Order in the amount of \$6853.30 increase. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The Clerk read Margaret Daye's resignation from the Personnel Board. Ms. Daye's term will not expire until Feb. 26, 2007.

The Clerk asked that anyone wishing to serve on the Board please make a request in writing by 12:00 noon Friday, June 23, 2006. Un-expired term to expire February 26, 2007.

The following Resolution was introduced by Council Member Matthew Hodges and read and explained by the Council President.

RESOLUTION

WHEREAS, the City of Scottsboro, Alabama has been selected to participate in the Recreational Trails Program; and

WHEREAS, the project's name is the Scottsboro Municipal Park Walking Trail and it is assigned a project number of RTP Project Number 06-RT-53-008, and;

WHEREAS, the project's scope and purpose is to extend the walking trail and provide lighting for the full length of the walking trail at the location known as the Scottsboro City Park, and;

WHEREAS, the grant amount of said project is \$80,000.00 and the City must commit a matching amount or fund commitment in the amount of \$20,000.00 along with a signed copy

of the assurances of the City to the Alabama Department of Economic and Community Affairs (ADECA).

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

a. That the City Council of the City of Scottsboro, Alabama, on behalf of the City does hereby authorize and direct the Mayor, the Clerk, and President of the City Council of the City of Scottsboro, Alabama to execute any and all documents necessary and appropriate for the participation in the Recreational Trails Program and does hereby authorize an expenditure and fund commitment of \$20,000.00 as local match on this project.

Motion was made by Council Member Matthew Hodges and seconded by Council Member Jim Helms to adopt the resolution. 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 and explained by Attorney Kennamer.

RESOLUTION

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

WHEREAS, the City of Scottsboro has established by policy and practice certain processes for the selection of department heads and other unclassified employees and;

WHEREAS, the City of Scottsboro's employment related process have evolved based on legal requirements, city policy, past practices, and by the definition of additional policies, processes and approvals needed to assure compliance, consistence, equity, and functionality during the selection of the most qualified candidate for each job, and;

WHEREAS, the City Council and the City of Scottsboro wishes to modify and clarify the current policy and practices;

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

1. Whenever a vacancy occurs within an unclassified position of the City of Scottsboro, a selection/interview committee shall meet to do initial screening of applicants and made recommendations to the Mayor and full council of the City of Scottsboro.
2. The committee shall be made up of the Council Committee chair for that particular department, the Mayor of the City of Scottsboro, the President of the City Council of the City of Scottsboro or his designee from the City Council of the City of Scottsboro. The Human Resources Director of the City and the Department Head (if the unclassified position reports to that department head) shall serve on the committee as facilitators and advisors and the Mayor of the City of Scottsboro shall serve as Chairman of said Committee.
3. If a "merit" or classified employee of the City of Scottsboro is appointed to fill a mid-term vacancy in an unclassified position and that person is not re-appointed during the regular appointment cycle in the fall of the year after mayoral elections, he or she shall be entitled to return to his or her previous classified position. This option of return is limited to the first re-appointment cycle after filling of any mid term vacancy.
4. It is the intent of this resolution that it will supersede any and all policies and practices of the City in conflict herewith effective the date of passage of this resolution and shall remain in full force and effect until changed by action of the City Council of the City of Scottsboro.

DULY resolved this the 19th day of June, 2006.

Motion was made by Council Member Jim Helms and seconded by Council Member Buddy Simmons that the Resolution be adopted. There was a lengthy discussion before a vote was taken in which Mayor Deason expressed his feelings that this resolution was to take away from this Mayor. He made a request that he be allowed to make the recommendation to the Council as had been the past practice. Attorney Kennamer and Council President Brookshire advised the Mayor that he could make a recommendation to an appointment at any time. Upon vote being taken, all voted aye. The Council President declared the motion carried.

ACTING POLICE CHIEF APPOINTED

Upon the recommendation of Mayor Deason, motion was made by Council Member Buddy Simmons and seconded by Council Member Jim Helms to appoint Ralph Dawe Acting Police Chief until a Police Chief is named and for Mayor Deason to reach a salary change for Chief Dawe. Upon vote being taken, all voted aye. The Council President declared the motion carried.

ACTING HUMAN RESOURCE DIRECTOR

Upon the recommendation of Mayor Deason, motion was made by Council Member Matthew Hodges and seconded by Council Member Jim Helms to appoint Debra Borders as Acting Human Resource Director and for Mayor Deason to reach a salary change for the new Acting Director.

During a discussion Council Member Helms also ask that the salary for the Acting Solid Waste Director also be reviewed by the Mayor. Upon vote being taken, all voted aye. The Council President declared the motion carried.

CONTRACT WITH JOE ADAMS

Motion was made by Council Member Jim Helms and seconded by Council Member Buddy Simmons to enter into a contract with Joe Adams for wiring the sound, telephone and computers service at the new Senior Center and for Mayor Deason and City Clerk Gail Duffey to be authorized to sign such contract. Upon vote being taken, all voted aye. The Council President declared the motion carried.

ORDINANCE NO. 517

AN ORDINANCE PRESCRIBING CERTAIN OFFENSES AGAINST THE CITY OF SCOTTSBORO AND FIXING THE PUNISHMENT FOR VIOLATION OF THIS ORDINANCE.

This Ordinance was introduced by Council Member Matthew Hodges and will be voted on at the next regular Council Meeting. The Ordinance was read and explained by Attorney Kennamer.

Council Member Buddy Simmons asked the Council President to appoint a committee to look into a City Manager for the City of Scottsboro.

Council President Brookshire appointed Council Member Jim Helms and Mayor Deason, the Mayor immediately declined the appointment, Attorney Kennamer was then appointed. Mr. Kennamer advised he would serve as a facilitator. Mr. Brookshire will also serve on this Board. Council Member Boatner asked how much more this will cost the City. There was no reply as to the cost. Therefore the Committee will be made up of Council Members Jim Helms and Council President Harold Brookshire with Attorney Kennamer serving as a facilitator.

Mayor Deason reported that there would be another BRAC meeting in Virginia in July. He said he felt good about the results of BRAC and expected 100 new families in Scottsboro. He said he was proud of the direction that the City is headed. He thanked everyone for coming out.

Council Member Buddy Simmons reported that three (3) weeks ago Mr. Ed Wyle was leaving the City to pursue other avenues and help with his mother. He said he wanted to report on the way he was treated. He said further that he was locked and humiliated out of his office. Mr. Simmons asked why did this happen, that no employee deserves this. He reported that Mr. Wyle was not fired and asked what he was going to take. Then Council Member Simmons said, "Mr. Wyle, I'm sorry."

Council Member Boatner reported that he and Council President Brookshire had traveled to Texas with the Waterworks, Sewer and Gas Board. He reported it was a good trip and that the Council really needed to support this Board. He said we really need to be proud of what we have in our Water Board, that it was not so good west of the Mississippi. He reported that the biggest concern this area had was milfoil around boat houses and that we should partner with TVA on this matter.

Council Member Helms echoed on what Mr. Simmons had reported about Mr. Wyle. He said he should be commended on what he gave to our town and citizens rather than being embarrassed.

Council Member Helms asked Mayor Deason about some change of status and pay rated that the Council had approved some months ago that the Mayor had not signed to be put in force. Mayor Deason told Mr. Helms he would be happy to visit with him concerning the matter if he would come by his office.

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. All voted aye.