

**Minutes  
Scottsboro City Council  
October 23, 2006**

The City Council of the city of Scottsboro, Alabama met in regular session on October 23, 2006.

The roll was called with the following results:

Present:	Council President:	Keith Smith
	Council Member:	Jim Helms
		Matthew Hodges
		Buddy Simmons
		Terry Thomas

Absent:	Council Member:	None
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Mayor Dan Deason, City Clerk Gail Duffey and Attorney Stephen Kennamer were also present.

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

The agenda was approved as prepared by the Council President after adding four (4) items under New Business and one (1) item under Old Business. The minutes from September 11<sup>th</sup>, 18<sup>th</sup>, October 2<sup>nd</sup>, 4<sup>th</sup> and 9<sup>th</sup> were approved as read.

**AN APPOINTMENT OF A  
LIBRARY BOARD MEMBER**

The term of Marilyn Morris has expired on the Scottsboro Library Board.

Council Member Matthew Hodges nominated Marilyn Morris to be reappointed.

Council Member Buddy Simmons nominated Kandice Paradise to be appointed.

Upon vote being taken for Kandice Paradise the following voted aye: Council Members Buddy Simmons, Jim Helms, Terry Thomas and Council President Keith Smith. Those voting for Marilyn Morris being Council Member Matthew Hodges.

The Council President declared Kandice Paradise appointed to the Library Board. New term will expire October 1, 2010.

**THREE APPOINTMENTS TO THE  
SCOTTSBORO MUSEUM COMMISSION**

The terms of Jean Barnett, Jim Bowman and Helen Kern have expired on the Scottsboro Museum Commission.

Council Member Jim Helms nominated Jean Barnett, Jim Bowman and Helen Kern to be reappointed to this Board.

Upon vote being taken, all voted aye. The Council President declared Jean Barnett, Jim Bowman and Helen Kern appointed to the Scottsboro Museum Commission. Term to expire October 1, 2011.

**THREE APPOINTMENTS TO THE  
SCOTTSBORO HOUSING ABATEMENT BOARD**

The Abatement Board is made up of individual Council Member appointments. Having three (3) newly elected Council Member, their appointments are as follows:

Council President Smith appointed Gene Greer, Council Member Hodges appointed Janet Sage, Council Member Thomas appointed Lindsey Garner.

These terms are for the terms of the Council Members, September 30, 2010.

**THREE APPOINTMENTS TO THE  
SCOTTSBORO AIRPORT ADVISORY BOARD**

The Airport Advisory Board is made up of individual Council Member appointments. Having three (3) newly elected Council Members, their appointments are as follows:

Council President Smith appointed Rudder Williams, Council Member Hodges appointed Lucus Rudder, Council Member Thomas appointed Bud Henegar.

These terms are for the length of the terms of the Council Members, September 30, 2010.

**THREE APPOINTMENTS FO THE  
SCOTTSBORO RECREATION ADVISORY BOARD**

The Recreation Advisory Board is made up of individual Council Member appointments. Having three (3) newly elected Council Members, their appointments are as follows:

Council President Smith appointed Matt Lockmiller, Council Member Hodges appointed Mary Angela Ferrell, Council Member Thomas appointed Brian Yarbrough.

**TOURISM ADVISORY BOARD  
APPOINTMENTS Continued**

Motion was made by Council Member Terry Thomas and seconded by Council Member Matthew Hodges to continue the appointments of members to the Tourism Advisory Board until after these Board appointments are discussed at the November 20, 2005 Work Session. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**THREE APPOINTMENTS TO THE  
SCOTTSBORO NATIVE AMERICAN  
ADVISORY BOARD**

The Native American Advisory Board is made up of individual Council Member appointments. Having three (3) newly elected Council Members, their appointments are as follows:

Council President Smith delayed his appointment, Council Member Hodges appointed Garry Morgan, Council Member Thomas appointed Sue Dewitt.

These terms are for the terms of the Council Members, September 30, 2010.

Mark Pew and Daniel Wells with CDG Engineers appeared before the Council and presented the Council with information on their company relating to Landfills. The City of Scottsboro had used Hendon Engineers for Landfill Engineering until recently when the company split. The City now being in the market for new Landfill Engineers was looking closely at CDG Engineers. From all reports CDG was the top Landfill Engineering Company for the needs of the Scottsboro Landfill.

CDG does have four (4) Alabama offices. The one nearest to Scottsboro being in Albertville. The Mayor and Council thanked Mr. Pew and Mr. Wells for coming and for their presentation.

The City Attorney gave the following report:

Proposals for a Solid Waste Engineer were received and reviewed on September 1, 2006.

Only two proposals were received as follows:

CDG Engineers  
Highland Technical Services, Inc.

The Review Committee request that the Council name CDG Engineers as the engineers for the Solid Waste Dept.

CDG Engineers are located in Albertville and already have two (2) City of Scottsboro projects and they are also highly skilled as Landfill Engineers.

**APPROVAL TO ACCEPT ENGINEERS FOR THE  
SOLID WASTE LANDFILL**

Upon the request of the Review Committee, motion was made by Council Member Terry Thomas and seconded by Council Member Buddy Simmons that CDG Engineers be obtained for their services as Solid Waste Landfill Engineers. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The following Resolution was introduced by Council Member Matthew Hodges and read in full by the Clerk:

**A RESOLUTION SETTING A PUBLIC HEARING  
ON THE ADOPTION OF A PROPOSED ORDINANCE  
AMENDING THE ZONING ORDINANCE OF THE  
CITY OF SCOTTSBORO, ALABAMA, AND PROVIDING FOR  
THE GIVING OF NOTICE OF SUCH PUBLIC HEARING**

**WHEREAS**, the Scottsboro Planning Commission has recommended that the Scottsboro City Council adopt an amendatory ordinance to the Zoning Ordinance of the City of Scottsboro, Alabama which would result in changing the zoning of the lands described in the proposed amendatory ordinance as therein set forth, and

**WHEREAS**, it is the judgment and opinion of the City Council that consideration should be given to the adoption of such proposed amendatory ordinance.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCOTTSBORO, ALABAMA, as follows:**

1. That the City Council shall hold a public hearing on the adoption of such proposed amendment to the City's Zoning Ordinance and such public hearing shall be held at the City Hall in the City of Scottsboro, Alabama, on the 27<sup>th</sup> day of November 2006 beginning at 6:00 p.m.
2. That the proposed ordinance shall be considered by the City Council at such time and place, and at such time and place all persons who desire shall have an opportunity of being heard in the opposition to or in favor of such proposed amendment to the City's Zoning Ordinance.
3. That the proposed amendatory ordinance, together with this resolution of which said ordinance is a part, shall be published in a newspaper of general circulation published within the City of Scottsboro once a week for two successive weeks, and both newspaper publications shall be at least fifteen days in advance of the passage of said proposed amendatory ordinance.

4. That said proposed amendatory ordinance is to e substantially the following:

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF SCOTTSBORO, ALABAMA**

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

**SECTION ONE:** The Zoning of the following described lands will be changed from AR (Agriculture Recreation District) that hereafter such lands shall be shown and classified by The Zoning Ordinance of the City of Scottsboro, Alabama and on the official Zoning Map forming a part of said Zoning Ordinance as being R2 (Medium density single family residential district) zone.

This property is located on the south side of Gant Road near the intersection of Gant Road and Shelby Drive and consists of the following tract:

A part of the Southeast quarter of the Northeast quarter of Section 27, Township 4 South, Range 6 East of the Huntsville Meridian in Jackson County, Alabama and being more particularly described as follows:

Commence at a concrete monument at the Northeast corner of said Southeast quarter of the Northeast quarter and run a tie line with the North boundary thereof South 86 degrees 59 minutes 30 seconds West a distance of 460.9 feet to the Northeast corner of the tract hereby described and the true point of beginning, thence South 00 degrees 31 minutes West a distance of 658.6 feet, thence South 86 degrees 55 minutes West a distance of 811.4 feet, thence North 01 degrees 17 minutes West a distance of 658.7 feet to the North boundary of said Northeast quarter of the Southeast quarter, thence with said North boundary North 86 degrees 59 minutes 30 seconds East a distance of 832.0 feet to the point of beginning and containing 12.41 acres more or less.

**SECTION TWO:** The Zoning Ordinance of the City of Scottsboro, Alabama and the official Zoning Map forming a part of said Zoning Ordinance are hereby altered, amended, changed and modified in accordance with Section One hereof.

**SECTION THREE:** This Ordinance shall become effective immediately upon its due passage and publication, as required by law.

Duly passed and adopted on this the \_\_\_\_\_ day of \_\_\_\_\_ 2006.

City of Scottsboro, Alabama

\_\_\_\_\_  
President of the City Council

Authenticated and Attested:

\_\_\_\_\_  
City Clerk

Transmitted to and approved by the Mayor, this the \_\_\_\_\_ day of \_\_\_\_\_ 2006.

\_\_\_\_\_  
Mayor

SEAL

ATTEST

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City Clerk

This resolution adopted and approved on this the 23<sup>rd</sup> day of October 2006.

Motion was made by Council Member Matthew Hodges and seconded by Council Member Jim Helms that the resolution be adopted. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**APPROVAL OF A CHANGE ORDER FOR  
THE ANDERSON ROAD PROJECT**

Roy Light, Manager of the Water works, Sewer and Gas Board made a request for a \$4,360.00 change order on the Anderson Road Sewer Project to add man down alarm, add telemetry terminal strip and the removal of concrete encasement at existing manhole sewer connection to allow for terminal of new pipe installed by pipe bursting. This would make the revised contract amount to \$824,265.93 and the change order would be at no cost to the city. Motion was made by Council Member Jim Helms and seconded by Council Member Buddy Simmons to approve the change order. Upon vote being taken, all voted aye. The Council President declared the motion carried.

Attorney Kennamer reported that the Housing Abatement Board had abated several mobile homes in the Lakeside Mobile Home Park and that the park was in violation of the City's Abatement Ordinance. He said the City Clerk would be sending Ms. Olinger a letter stating these violations and the terms and length of time to bring this mobile home park up to standards. If these procedures are not followed in the time allowed, legal action will be taken.

The Council President asked that each Department Head please submit a list of the names of each employee in their department, where they live, the job each employee performs and if they drive a vehicle home. This information is to be turned in by the next Work Session.

Council Member Helms asked the advice of Attorney Kennamer on when a council member had the authority to have access to a city building. Mr. Kennamer replied that a council member should have access to any city owned building when necessary. He said council members should be able to make reasonable inspections during reasonable working hours.

**BID OPENING FOR AN AUTOMATED  
GARBAGE TRUCK FOR THE  
SOLID WASTE DEPARTMENT**

Having requested bids for an automated garbage truck for the Solid Waste Department the following was received and opened prior to the Council Meeting.

Ingram Equipment Co.	\$190,005.68 ea
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Upon the recommendation of the Bid Review Committee, motion was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges that Ingram Equipment be awarded the bid for two (2) automated garbage trucks as the lowest responsible bidder that met specifications. Upon vote being taken, all voted aye. The Council President declared the motion carried. (Finance Officer Rick Wheeler will research a lease program for the payments of the two (2) trucks.

The past Civic Center Committee was dissolved and the Council President named himself, Council Member Helms to the Committee and Attorney Kennamer as the advisor.

The Council President appointed himself, Council Member Jim Helms and Finance Director Rick Wheeler to assist the Goosepond Public Park and Recreation Board in any needs they have.

The Council President appointed Council Members Terry Thomas and Matthew Hodges, John Henegar, Connie Garner and Ron Latimer to an Insurance Committee to study ways to have good coverage at a good rate.

**ALL DEPARTMENT HEADS OR THEIR NO. 2  
PERSON TO ATTEND ALL MEETINGS  
OF THE COUNCIL**

Upon the recommendation of the Council President, motion was made by Council Member Jim Helms and seconded by Council Member Buddy Simmons that all Department Heads or their No. 2 person attend all meetings of the Council. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**A CITY INVENTORY**

Upon the recommendation of the Council President, motion was made by Council Member Buddy Simmons and seconded by Council Member Jim Helms for Police Officers to take the city inventory list and starting tomorrow on the 24<sup>th</sup>, go to each department and make sure everything is properly inventoried. Upon vote being taken, all voted aye. The Council President declared the motion carried. The Council President stated he would also like a list of all city property.

**TRACTOR BID FO THE  
STREET DEPARTMENT**

Motion was made by Council Member Buddy Simmons and seconded by Council Member Jim Helms to table the tractor bid for the Street Department until the Work Session. Upon vote being taken, all voted aye. The Council President declared the motion carried.

Mayor Deason thanked everyone for coming out and invited everyone to attend The Senior Citizen Open House on Sunday the 29<sup>th</sup> from 2 until 4 pm. He also reminded everyone it was First Monday week end.

Council Member Simmons reported he thinks the fire is out in the brush pit. He thanked Eddie Blizzard, Shag Johnson, the Fire Department, Police Department and the Water Sewer and Gas Department and then resolved this would never happen again.

Council Member Terry Thomas was glad everyone came out and said he appreciated each Board Member that has served on any City Board. He said the Council is getting organized and will do good work together and be good for our city.

Council Member Hodges said he was glad everyone was out.

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.