

**Minutes**  
**Scottsboro City Council**  
**November 27, 2006**

The City Council of the city of Scottsboro, Alabama met in regular session on November 27, 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 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.

The Council President announced that it is now the date, time and place as advertised to hold a public hearing for property located at the intersection of Gant Road and Shelby Drive. There is a total of 12.41 acres more or less to be changed from AR (Agriculture Recreation District) to R2 (Medium density single family residential district) zone. The property is owned by Calvin Wells.

The floor was then opened for anyone wishing to speak against the zoning change. No one was present to speak for or against the rezoning of the property.

The following Ordinance was introduced by Council Member Buddy Simmons and read and explained by the Clerk.

**ORDINANCE NO. 519**

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

Printed in Ordinance Book No. 4

It was moved by Council Member Buddy Simmons 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 Terry Thomas and was unanimously carried, those voting aye being:

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

Those voting nay:	None
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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 Terry Thomas that said Ordinance be now placed upon

its final passage and adoption. The motion was seconded by Council Member Buddy Simmons. 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: Keith Smith

Council Members: Buddy Simmons  
Terry Thomas  
Matthew Hodges  
Jim Helms

Those voting nay: None

The Council President thereupon declared the motion carried and said Ordinance No. 519 passed and was adopted as introduced and read.

Upon the need of a small tractor for another department of the city, motion was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges that the Street Department bid for a larger tractor using the small tractor for a trade in be rejected and that the larger tractor be bid and the small tractor be transferred to the Solid Waste Department. The Solid Waste Department will pay the amount of the trade in of the small tractor to the Street Department toward the payment of the large tractor. Upon vote being taken, all voted aye. The Council President declared the motion carried.

Motion was made by Council Member Buddy Simmons and seconded by Council Member Jim Helms to table any discussion on the closing and opening of the Skate Board Park and ask the Council President to appoint a committee and see how other towns and cities are handling the matter in their towns. Upon vote being taken, all voted aye. The Council President declared the motion carried and appointed Council Members Terry Thomas, Matthew Hodges and Recreation Director Yvonne Yockel to the Skate Board Park Committee.

#### **APPROVAL OF JOB DESCRIPTIONS FOR DIRECTOR OF SENIOR CENTER FOR THE CITY AND PART TIME SENIOR CENTER MANAGER**

Each Council Member had been given copies of job descriptions for a Director of the City's Senior Center and also for part time Manager. Acting Director of H. R. Debra Borders gave an overview of the two (2) job descriptions.

Motion was made by Council Member Terry Thomas and seconded by Council Member Jim Helms to adopt the two (2) job descriptions. Upon vote being taken, all voted aye. The Council President declared the motion carried.

#### **THREE HIRING FREEZE EXCEPTIONS APPROVED**

Upon the request of H.R. Acting Director, Debra Borders, motion was made by Council Member Buddy Simmons and seconded by Council Member Terry Thomas to release the hiring freeze for three city employees as follows:

1. Dispatch Position
2. Equipment Operator II for Solid Waste
3. Part time cleaning person for City Hall

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

The Council President appointed H. R. Director, Debra Borders to the Insurance Committee.

**COUNCIL APPROVAL FOR SCOTTSBORO SWIM TEAM  
ASSOCIATION TO BID FOR THE 2008 STATE SWIM MEET**

Upon the request of Mike Kirkland, President SSA, motion was made by Council Member Terry Thomas and seconded by Council Member Buddy Simmons to approve up to \$5,000.00 to allow the Scottsboro Swim Association to bid for the 2008 State Swim Meet. 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 and explained by the Clerk.

**RESOLUTION**

**BE IT RESOLVED**, that the City of Scottsboro, Alabama Employees Flexible Benefit Plan, adopted July 28, 1998, is hereby amended effective as of January 1, 2004, in accordance with the First Amendment to the Plan which is hereby adopted.

**RESOLVED FURTHER**, that Dan Deason, Mayor, be and he is hereby authorized and instructed to perform such acts, execute such instruments, and make such technical revisions in such instruments as he may deem necessary or desirable to effectuate the foregoing resolutions and to maintain the Plans under the applicable provisions of the Internal Revenue Code for and on behalf of the municipality and is hereby authorized and instructed to certify these resolutions.

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

The following Resolution was introduced by Council Member Buddy Simmons and read in full by the Clerk.

**RESOLUTION FOR A ONE TIME PAY RAISE FOR CITY OF  
SCOTTSBORO EMPLOYEES**

Full Time Employees	\$150.00
Full Time/Part Time Employees	\$ 75.00
Part Time/Temporary Employees	\$ 50.00

Full time/part time employees would be school patrol, senior citizen's coordinator, recreation night manager, recreation weekend manager, airport part time, jail part time and volunteer firemen.

Part time/temporary employees would include part time employees that meet the criteria of 500 hours worked during the year and employed as of November 30, 2006.

Motion was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges to adopt the above 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 by the Attorney.

**RESOLUTION**

**BE IT RESOLVED**, City Council of the City of Scottsboro, Alabama as follows: that the Airport Advisory Board shall be expanded to 7 members.

The 7<sup>th</sup> member shall be appointed by the Council at Large.

Duly resolved this the 27<sup>th</sup> day of November, 2006.

Motion was made by Council Member Jim Helms and seconded by Council Member Terry Thomas to adopt the above resolution, reminding the Council that this is strictly an Advisory Board. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The City Clerk advised anyone wishing to serve on this Board to please submit a request in writing by 12:00 noon on December 14, 2006.

### **BUDGET AMENDMENT**

Upon the request of Council Member Jim Helms, motion was made by Council Member Buddy Simmons and seconded by Council Member Terry Thomas to amend the budget in the amount of \$2000.00 for property transaction and expense and appraisal of property donated to the Airport by Lozier. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The following Ordinance was introduced by Council Member Matthew Hodges and read and explained by the Clerk.

### **ORDINANCE NO. 520**

**AN ORDINANCE FURTHER AMENDING SCOTTSBORO'S ORDINANCE NUMBER 228 WHICH IS ENTITLED "AN ORDINANCE PROVIDING FOR CITY ALCOHOLIC BEVERAGE PRIVILEGE LICENSES, ESTABLISHING CERTAIN RULES AND REGULATIONS FOR ALCOHOLIC BEVERAGES, MAKING CERTAIN ACTS UNLAWFUL, PROVIDING PENALTIES, AND OTHER MATTERS WITH RESPECT TO ALCOHOLIC BEVERAGES."**

Printed in Ordinance Book No. 4.

It was moved by Council Member Matthew Hodges 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 Jim Helms and was unanimously carried, those voting aye being:

Council President:	Keith Smith
Council Members:	Buddy Simmons Terry Thomas Matthew Hodges Jim Helms
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 Jim Helms that said Ordinance be now placed upon its final passage and adoption. The motion was seconded by Council Member Terry Thomas. 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:	Keith Smith
Council Members:	Buddy Simmons Terry Thomas Matthew Hodges Jim Helms

Those voting nay:                      None

The Council President thereupon declared the motion carried and said Ordinance No. 520 passed and was adopted as introduced and read.

The following Resolution was introduced by Council Member Terry Thomas and read in full by the Clerk.

### **RESOLUTION**

**WHEREAS**, the City Council has created a fair and equitable way to treat comp time issues; and

**WHEREAS**, the City Council of the City of Scottsboro has determined that it would be in the best interest of the general public and employee's of the City that said policy be modified;

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

- a.        An employee shall be able to draw out approved amounts of comp time if he/she were injured in the line of duty or in a work related injury and the employee is certified by his/her department head, the Human Resource Manager, and the Mayor of the City of Scottsboro as suffering from financial hardship due to their injury.

**BE IT FURTHER RESOLVED**, that the remainder of the City's policy addressing Comp Time, dated the 23<sup>rd</sup> day of September, 2002 shall remain in full force and effect.

**DULY ADOPTED** on this the 27<sup>th</sup> day of November, 2006.

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

**ORDINANCE NO. 521** was introduced and placed on the table to be voted on at the next regular council meeting. Ordinance No. 521 is titled, "**AN ORDINANCE AMENDING ORDINANCE NO. 471 ESTABLISHING PROCEDURES FOR THE CITY COUNCIL OF THE CITY OF SCOTTSBORO AND OTHER MATTERS WITH RESPECT HERETO.**" The Ordinance when adopted will add an additional work session each month to be held on the first Monday of each month.

The Council agreed to continue and follow the procedures of the last Council for interviewing and hiring Department Heads for the City of Scottsboro.

### **NO HUNTING OR PERMITTING ON CITY OWNED PROPERTY AT GOOSE POND ISLAND**

Motion was made by Council Member Buddy Simmons and seconded by Council Member Jim Helms to post No Hunting signs on city owned property at Goose Pond Island and not to permit any person to hunt on the Island. Upon vote being taken, all voted aye. The Council President declared the motion carried.

### **ACCEPT A RESIGNATION AND AN APPOINTMENT TO THE SCOTTSBORO MUSEUM COMMISSION**

Motion was made by Council Member Terry Thomas and seconded by Council Member Matthew Hodges to accept the resignation of Lewis Wendell Page from the Scottsboro Museum Commission and to appoint his son, Robert L. Page to fill Mr. Page's unexpired term. Upon vote being taken, all voted aye. The Council President declared the motion carried. Robert Page's term will expire on 10/01/08.

**90% OF THE 2006-2007 BUDGET ADOPTED**

Motion was made by Council Member Terry Thomas and seconded by Council Member Buddy Simmons to adopt 90% of the 2006-2007 General Fund Budget as follows:

Total Budget	\$17,336,535.00
90% adopted	\$15,602,882.00

According to the Alabama Code only 90% of the budget can be adopted at the first reading of the budget. The budget is to be retroactive to October 1, 2006 and is to include a 3.5 % raise for all city employees. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**BID OPENING FOR A ONE TON TRUCK CHASSIS FOR THE SOLID WASTE DEPARTMENT**

Having requested bids for a one ton truck chassis for the Solid Waste Department, none were received. Motion was made by Council Member Buddy Simmons and seconded by Council Member Jim Helms to reject and rebid so as to buy locally if possible. Upon vote being taken, all voted aye. The Council President declared the motion carried.

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 Terry Thomas that the meeting be adjourned. All voted aye.