

**Minutes
Scottsboro City Council
March 5, 2007**

The City Council of the City of Scottsboro, Alabama met in regular session on March 5, 2007.

The roll was called with the following results:

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

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 Minutes from the February 12, 2007 Council Meeting were read and approved as read.

The Clerk announced that the terms of John Boozer, Gene Greer and Mark Scott Skelton are expiring on the Scottsboro Tree Commission. Anyone interested in serving on this Board was asked to make a request in writing by 12:00 noon on March 16, 2007. The new terms are to expire February 11, 2010.

The Clerk announced that the terms of Tom Parker and David Campbell are expiring on the Personnel Board. Anyone interested in serving on this Board was asked to make a request in writing by 12:00 noon on March 16, 2007. The new terms are to expire February 26, 2010.

**HIRING FREEZE EXCEPTION FOR
THREE POSITIONS TO BE FILLED**

Motion was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges to make an exception to the hiring freeze to allow for a Dispatcher's position to replace Laura Thrasher who has been selected to fill a Police Officer's position. A Police Officer's position to replace Chad Bearden and a temporary part time grounds crew person. Upon vote being taken, all vote aye. The Council President declared the motion carried.

**APPROVAL OF A PROFESSIONAL SERVICE AGREEMENT
WITH BARGE, WAGGONER, SUMNER AND CANNON**

Motion was made by Council Member Matthew Hodges and seconded by Council Member Buddy Simmons to enter into a professional services agreement with Barge, Waggoner, Sumner and Cannon in the amount of \$10,000.00. The project for the agreement in General Consulting at the Scottsboro Municipal Airport – Word Field. Authorization was given to Mayor Deason to sign the contract agreement. 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 and explained by Attorney Kennamer.

RESOLUTION

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

1. That the City of Scottsboro is authorized to make an application in the amount of five thousand dollars (\$5,000) for airport improvement funding assistance from the State of Alabama Department of Transportation, for the purpose of undertaking a project to make improvements at the Word Field.
2. That the application be submitted for and on behalf of the City of Scottsboro by its Mayor who is authorized by this resolution to sign the application and any related forms or documents on behalf of the City.
3. That the City of Scottsboro is authorized to enter into an airport improvement funding agreement with the State of Alabama, acting by and through the Alabama Department of Transportation, for the purpose of undertaking a project to make improvements at the Word Field, with partial funding provided by the State of Alabama.
4. That the agreement be executed in the name of the City of Scottsboro for and on behalf of the City by its Mayor.
5. That the agreement be attested by the City Clerk and the seal of the City of Scottsboro affixed thereto.
6. That the authority of the City of Scottsboro to enter into contracts with the State of Alabama has been reviewed by the City's attorney, and in his/her opinion, the City is duly authorized to commit the City of Scottsboro to an agreement with the Alabama Department of Transportation.

BE IT FURTHER RESOLVED, that the City of Scottsboro hereby affirms that the local matching share of funds in the amount of five thousand dollars (\$5,000) required for this agreement has been officially approved, placed into the budget of the airport and is available for expenditure upon execution of the State of Alabama's funding agreement and the start of the project.

Motion was made by Council Member Matthew Hodges to approve the above Resolution. This \$10,000.00 grant will be to pay for the professional service at the airport. Upon vote being taken, all voted aye. The Council President declared the motion carried.

(IVEY LANE NAMED)

The Clerk reported that a 60 foot Right of Way on Floyd Circle had been blocked and was being used as private property.

Upon the request of the Clerk, motion was made by Council Member Matthew Hodges and seconded by Council Member Buddy Simmons to put up a street sign and name the 60' Right of Way Ivey Lane. 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

WHEREAS, the Alabama Department of Economic and Community Affairs has the authority to award Community Development Economic Development Grant Fund projects, and

WHEREAS, the City of Scottsboro possesses the legal authority to apply for CDBG-ED grant funds, and

WHEREAS, the City of Scottsboro recognizes the urgent need for water/sewer extensions to facilitate the location of a new industry into our Industrial Park which will create jobs for our community.

NOW THEREFORE BE IT RESOLVED by the Mayor and the City Council as follows:

- (a) That the City of Scottsboro is applying to ADECA for CDBG-ED grant funds in the amount of \$99,000.00 and
- (b) That upon approval of this grant application the City commits in local cash match via the Scottsboro Utilities Board \$22,061.00 to complete the financing for this project. The City of Scottsboro agrees to maintain the infrastructure (via the Utilities Board) once construction is completed.

APPROVED AND ADOPTED THIS 5TH DAY OF MARCH, 2007.

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 agreement was introduced by Council Member Matthew Hodges and read and explained by Mayor Deason.

**AGREEMENT BETWEEN THE CITY OF SCOTTSBORO
AND JACKSON, COUNTY ALABAMA**

STATE OF ALABAMA

JACKSON COUNTY

This agreement made and entered into by and between Jackson County, Alabama; Dennis Miller as Sheriff of Jackson County, Alabama and the City of Scottsboro, Alabama, witnesses:

1. The Sheriff and Jackson County, Alabama currently provide food service for inmates incarcerated in the Jackson County Jail. The City of Scottsboro, Alabama, desires to obtain such food service for inmates of the City Jail from the Sheriff and the County.
2. The Sheriff and Jackson County, Alabama agree to provide food service for the inmates of the City Jail to be picked up by the City at the Jackson County Jail.
3. The city agrees to pay Jackson County, Alabama the sum of \$5.00 per day per inmate. The City shall provide containers for such meals.
4. At the end of each month, the Sheriff will submit to the City a statement for the number of inmate meal days, and the City agrees to promptly pay Jackson County, Alabama, for the number of meals provided and billed for.
5. Of the \$5.00 per day per inmate collected, the Sheriff's fund shall retain \$4.50 of such sum for each inmate meal day and the Jackson County General Fund shall retain .50 cents of such sum for each inmate meal day.
6. This agreement may be cancelled by either party upon notice in writing given ten (10) days in advance.
7. The agreement shall remain in force and in effect for a period of (1) year from the effective date hereof and may be renewed on an annual basis by the execution of a renewal agreement between the parties.

8. This agreement shall be effective as of March 1st, 2007 and is executed on this 20th day of February, 2007, in triplicate, each copy to be taken as an original.

Motion was made by Council Member Matthew Hodges and seconded by Council Member Buddy Simmons to authorize Mayor Deason to execute the above contract agreement with Sheriff Dennis Miller to be effective March 1, 2007. Upon vote being taken, all voted aye. The Council President declared the motion carried.

BIG BASS SPLASH

Upon the request of Mayor Deason, motion was made by Council Member Matthew Hodges to appropriate \$12,000.00 to the Greater Jackson County Chamber of Commerce earmarked for the Big Bass Splash. Council President Keith Smith turned the chair over to Council Member Buddy Simmons and stepped down to Council Member Keith Smith to second the motion. The Council President then took his position back as Council President. Upon vote being taken the following voting aye: Council Member Matthew Hodges and Council President Keith Smith. Those voting nay: Council Member Buddy Simmons. The motion did not carry for a lack of majority of the Council vote.

The following Resolution was introduced by Council Member Matthew Hodges and read in full by the City Attorney.

RESOLUTION

WHEREAS, Kenneth M. Tolar of TOLAR CONSTRUCTION, L.L.C. has offered a "Time and Material" proposal to serve as a consultant for the City of Scottsboro on its proposed Animal Shelter Project, and;

WHEREAS, the proposal appears to be satisfactory at the rate of Fifty-Five and No/100 Dollars (\$55.00) per hour for a maximum number of Sixty (60) hours on said project.

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

- a. That the Mayor and City Clerk are hereby authorized to execute that certain proposal document dated February 19, 2007 to be effective on the 19th of February, 2007.

DULY ADOPTED AND APPROVED on this the 4th day of March, 2007.

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

The Council President appointed Finance Director Rick Wheeler, City Clerk Gail Duffey, Attorney Stephen Kennamer and Revenue Officer Shane McLemore to a committee to study the New Business License Ordinance.

EXECUTIVE SESSION CALLED

Motion was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges that the Council enter into an executive session with Attorney Kennamer and that Mayor Deason and Finance Director Rick Wheeler be on call. The executive session is to discuss the good name and character of a person. Upon vote being taken, all voted aye. The Council left the Council Chambers at 7:00 p.m.

At 7:40 p.m. the Council returned to the Council Chambers.

Motion was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges that the Council continue in regular session. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The Council President announced that no minutes were taken and no notes kept and that only the good name and character of an employee or employees were discussed.

Pursuant to the Open Meeting Statute, the City Attorney certified the session was to be and was conducted pursuant to law.

The Mayor announced that Street Superintendent Shag Johnson was having health problems as well as Firefighter Kenny Dulaney.

There being no further business to come before the Council at this time, motion was made by Council Member Matthew Hodges and seconded by Council Member Buddy Simmons that the meeting be adjourned. All voted aye.