

Minutes
Scottsboro City Council
March 26, 2007

The City Council of the City of Scottsboro, Alabama met in regular session on March 26, 2007.

The roll was called with the following results:

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

The Minutes from the February 26, 2007 and the March 5, 2007 Council Meetings were read and approved as read.

The Council President asked for nominations for a Council Member to fill the unexpired term of Jim Helms who had resigned from his Council Member position on February 26, 2007. Council Member Terry Thomas nominated Josephine Smith for Council Member to fill the unexpired term of Jim Helms.

There being no other nominations the Council President called for a roll call vote. Those voting aye being Council President Keith Smith, Council Members Terry Thomas, Matthew Hodges and Buddy Simmons. The Council President declared Josephine Smith appointed to the Scottsboro City Council and asked that Attorney Kennamer come forward and perform the swearing in for Mrs. Smith. Following the swearing in Council Member Josephine Smith took her seat at the Council Table.

Since Jim Helms had served as Council President Pro Tem, the Council President asked for a nomination from the Council Members for a Council President Pro Tem. Council Member Terry Thomas nominated Council Member Matthew Hodges to fill the unexpired term of Jim Helms as Council President Pro Tem.

There being no other nominations the Council President called for a roll call vote. Those voting aye being Council President Keith Smith, Council Members Matthew Hodges, Josephine Smith, Buddy Simmons and Terry Thomas. The Council President declared Matthew Hodges appointed as Council President Pro Tem.

**THREE REAPPOINTMENTS TO THE
SCOTTSBORO TREE COMMISSION**

The terms of John Boozer, Gene Greer and Mark Scott Skelton are expiring on the Scottsboro Tree Commission. All three members requested to be reappointed. No other requests were received. Council Member Buddy Simmons nominated John Boozer, Gene Greer and Mark Scott Skelton to be reappointed to the Scottsboro Tree Commission. Upon vote being taken, all voted aye. The Council President declared the nomination carried. New terms to expire February 26, 2010.

TWO APPOINTMENTS TO THE SCOTTSBORO PERSONNEL BOARD

The terms of Tom Parker and David Campbell are expiring on the Scottsboro Personnel Board. Mr. Parker or Mr. Campbell did not request to be reappointed. Only one request was received by the first cut off date as follows:

Perry Guffey

Council Member Buddy Simmons nominated Perry Guffey to be appointed to the Personnel Board. Council Member Matthew Hodges nominated Clarence Bolte to be appointed to the Personnel Board. Upon a roll call vote for Perry Guffey the following voted aye: Council President Keith Smith, Council Members Josephine Smith, Buddy Simmons and Terry Thomas. Those voting nay: Council Member Matthew Hodges. The Council President declared Perry Guffey appointed to the Personnel Board.

Four requests were received after the second cut off time as follows:

Robert S Shook
Dot Black
Clarence Bolte
Kenneth Clark

Council Member Buddy Simmons nominated Robert Shook. Council Member Matthew Hodges nominated Clarence Bolte. Upon a roll call vote for Clarence Bolte the following voted aye: Council Member Matthew Hodges and Council Member Josephine Smith. Those voting nay: Council President Keith Smith and Council Members Terry Thomas and Buddy Simmons. Mr. Bolte did not receive a majority vote. Upon a roll call vote for Robert Shook the following voted aye: Council Members Josephine Smith, Buddy Simmons, Terry Thomas and Council President Keith Smith. Those voting nay: Council Member Matthew Hodges. The Council President declared Robert Shook appointed to the Scottsboro Personnel Board.

The City Clerk presented the following recommendation for new prices for grave sites and openings at Cedar Hill Cemetery.

Individual graves to be priced to sell at \$400.00 per grave
That a four (4) grave site be priced to sell at a total of \$1600.00
That grave openings on any day or at any time be set at \$400.00
That infant graves and cremation grave openings are to be set at \$250.00 any time

Motion was made by Council Member Buddy Simmons and seconded by Council Member Terry Thomas to accept the recommendation and prices recommended by the Clerk. Before a vote was taken, motion was made by Council Member Matthew Hodges to table the recommendation until it could be compared to prices other municipalities are charging. The Council President said it would be good to give Council Member Josephine Smith time to study the comparison with other municipalities. The motion was seconded by Council Member Terry Thomas. Upon vote being taken, all voted aye. The Council President declared the motion carried. The increase consideration will be brought up at a Work Session.

BID OPENINGS FOR T HANGERS FOR THE MUNICIPAL AIRPORT

Having requested bids for T Hangers at the Airport the following were received and opened prior to the Council Meeting.

Tolar Construction, LLC	540,285.00
George A Clanton Construction Co.	586,722.00
Corba Contracting Corporation	666,177.00

Kreis Wetherington, an engineer with Barge Waggoner Sumner and Cannon explained to the Council that Tolar Construction was the low bidder and that a \$250,000.00 grant from the State had been approved and that fees collected from the rental of the T

Hangers would go toward the payment of the balance. Mr. Wetherington recommended that the Council award the bid to Tolar Construction.

Motion was made by Council Member Matthew Hodges and seconded by Council Member Buddy Simmons to award the T Hanger bid to Tolar Construction, LLC as the lowest responsible bidder that met specifications. Upon vote being taken, all voted aye. The Council President declared the motion carried.

COMPENSATION INCREASE FOR PART TIME EMPLOYEES

Yvonne Yockel, Rec Com Department Director, has suggested that the scale for part time Lifeguards and Grounds Crew employees start at \$6.50 per hour and increasing 25 cents each year, topping out at the fourth year. The Lifeguards must have a certificate before they can perform their duties and the Ground Crews are required to do the same duties as a temporary Street Dept. Laborer.

For part time Kids Klub and Office employees to start out at \$6.00 per hour then increase 25 cents each year, topping out at the fourth year.

For part time Concession workers to start out at \$5.50 for the first year, then increase 15 cents each year topping out at the fourth year also.

The current rates would be affected anyway when the Senate passes the federal minimum wage increase proposal.

Upon the recommendation of the Recreation Director, motion was made by Council Member Buddy Simmons and seconded by Council Member Terry Thomas to approve the compensation increase for part time employees as listed above. Upon vote being taken, all voted aye. The Council President declared the motion carried.

BIG BASS SPLASH \$12,000 CONTRACT APPROVED

Upon the recommendation of the Council President, motion was made by Council Member Terry Thomas and seconded by Council Member Josephine Smith to approve paying \$12,000.00 to the Chamber of Commerce for a contract with Sealy Outdoors, Inc. to provide the Big Bass Splash tournament and Block Party festival. The event of the Big Bass Splash is to be solely a Chamber of Commerce event. The City of Scottsboro is to pay the \$12,000.00 to the Chamber of Commerce which is to be the City's only involvement with the event. The Chamber will provide any requirement in the contract as the organization signing the contract. Upon vote being taken, all voted aye. The Council President declared the motion carried.

There was a lengthy discussion between the Council and Joe Rodgers, a foreman over mowing at the Street Department. The discussion was concerning summer mowing. No decision was reached.

The Council President appointed Council Member Josephine Smith to the Scottsboro-Goosepond Civic Center to replace former Council Member Jim Helms who had resigned from the Council.

Council President Keith Smith appointed himself to the Airport Board to replace former Council Member Jim Helms who had resigned from the Council.

The Council President appointed Mr. Carlton Edwards and Mrs. Shirley Dawson to the Business License Committee. City Clerk Gail Duffey was appointed Chairman of the Committee.

The Council President announced that Don Croft had applied for an Alcoholic Beverage License. The Clerk reported that the name of the establishment is Lakeside Grocery located at 2802 Veterans Drive. The type of license applied for was retail beer and wine off premises. A background investigation was clear. Out of a survey of six (6) businesses and residences there were four (4) no objections and two (2) no contacts. The

nearest church and school met the required distance. The application was in order. The parking and floor space requirements did not apply to this application. The Health, Fire, Building, Zoning and Electrical inspections all comply.

**RESOLUTION TO APPROVE AN ALCOHOLIC BEVERAGE LICENSE
TO LAKESIDE GROCERY**

BE IT RESOLVED by the City Council of the City of Scottsboro, Alabama that the license application of Lakeside Grocery has been reviewed and that a retail beer and wine off premises license is hereby approved for Lakeside Grocery on this the 26th day of March, 2007.

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

The Council President announced that Brad Yates had applied for an Alcoholic Beverage license. The Clerk reported that the name of the establishment is Goosepond Tackle and Grill LLC located at 18562 John T. Reid Pkwy. The type license applied for is retail beer off premise. A background investigation was clear. Out of a survey of four (4) residences there were one (1) no objection and three (3) no contacts. There are no businesses located nearby. The nearest church and school met the required distance. The license application is in order. The parking and floor space requirements did not apply to this application. The Health, Fire, Building and Zoning requirements all comply.

**RESOLUTION TO APPROVE AN ALCOHOLIC BEVERAGE
LICENSE FOR GOOSEPOND TACKLE & GRILL LLC**

BE IT RESOLVED by the City Council of the City of Scottsboro, Alabama that the application of Goosepond Tackle and Grill has been reviewed and that retail beer off premise license is hereby approved for the Goosepond Tackle and Grill LLC this the 26th day of March, 2007.

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

WRECKER SERVICE ROTATION REQUEST DENIED

Having heard a request for a wrecker service rotation from Bobby Hall, motion was made by Council Member Matthew Hodges that Mr. Hall's wrecker service be added to the rotation in the Police Department. The motion died for a lack of a second.

HIRING FREEZE EXCEPTION APPROVED

Upon the request of Rec Com Director Yvonne Yockel and Human Resource Director Debra Borders, motion was made by Council Member Terry Thomas and seconded by Council Member Josephine Smith to make an exception to the Hiring Freeze to allow recreation summer help to be hired. Upon vote being taken, all voted aye. The Council President declared the motion carried.

HIRING FREEZE EXCEPTION APPROVED

Upon the request of the Rec Com Director Yvonne Yockel and Human Resource Director Debra Borders, motion was made by Council Member Buddy Simmons and seconded by Council Member Terry Thomas to make an exception to the hiring freeze to allow a Recreation Department Office Manager to be hired. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**BID OPENING FOR THE CITY PARK
WALKING TRAIL EXTENSION**

Having requested bids for the extension of the City Park Walking Trail and approval from the State to award the bid the following is the only bid received.

Jackson Paving & Construction, Inc.	\$51,904.00
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Motion was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges to award the bid to Jackson Paving and Construction, Inc. as the lowest responsible bidder that met specifications.

**BID OPENING FOR 4 YARD AND 8 YARD CONTAINERS
FOR THE SOLID WASTE DEPARTMENT**

Having requested bids for the 4 yard and 8 yard containers for the Solid Waste Department the following was received and opened prior to the Council Meeting.

	<u>4 Yard</u>	<u>8 Yard</u>
Wastequip Holt	540.00 ea	942.00 ea

Upon the recommendation of the Bid Review Committee, motion was made by Council Member Terry Thomas and seconded by Council Member Buddy Simmons that the bid be awarded to Wastequip Holt 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 BASEBALL/SOFTBALL EQUIPMENT
FOR THE RECREATION**

Having requested bids for 42 items of baseball/softball equipment, there were three (3) bids received. All bids are on file at the Recreation Department and in the Purchasing Agent's office.

Upon recommendation of the Bid Review Committee, motion was made by Council Member Matthew Hodges and seconded by Council Member Josephine Smith that the bid be awarded per item and that six (6) items be awarded to Southern All Sports, 32 items be awarded to J.P. Sports and three (3) items be awarded to Riddell Sports as the lowest responsible bidders that met specifications. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**BID OPENING FOR THE RENTAL OF MOWING TRACTORS
FOR THE STREET DEPARTMENT**

Before bid information was reported, motion was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges to reject the bids and rebid to purchase a tractor rather than rent. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**APPROVAL TO USE SPECIAL EVENTS FUNDS
TO PURCHASE FENCING**

Upon the request of the Rec Com Director, motion was made by Council Member Terry Thomas and seconded by Council Member Matthew Hodges to approve using Special Events funds to purchase temporary fencing at the Rec Com. Upon vote being taken, all voted aye. The Council President declared the motion carried.

APPROVAL OF SAFETY HANDBOOKS FOR ALL EMPLOYEES

Upon the request of the Human Resource Director, motion was made by Council Member Buddy Simmons and seconded by Council Member Terry Thomas to approve the Safety Handbooks for the use by all City Employees. Upon vote being taken, the following voted aye: Council Members Buddy Simmons, Terry Thomas, Matthew Hodges and Council President Keith Smith. Those voting nay: None. Those abstaining Council Member Josephine Smith. The Council President declared the motion carried.

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

RESOLUTION

Hazard Mitigation Grant Program DR-1605-AL/AEMA PN 562 Outdoor Warning Sirens State-Subgrantee Disaster Assistance Agreement

WHEREAS, the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) has been established to assist local governments with taking critical mitigation measures to protect life and property from future disasters; and

WHEREAS, the City of Scottsboro, Alabama, acting by and through its Council proposes to apply for HMGP funds to assist in the installation of 12 outdoor warning devices; and

WHEREAS, the City of Scottsboro, Alabama, as a recipient of these funds as the subgrantee is required to designate and appoint an Administrative/Financial Officer to perform certain duties in the administration of said grant; and

WHEREAS, the City of Scottsboro, Alabama as a recipient of these funds as the subgrantee is required to provide and make available funds for the local non-federal share for the above stated mitigation activities.

NOW, THEREFORE, be it resolved by the City Council of Scottsboro, Alabama, as follows:

THAT, Dan Deason, Mayor, is hereby authorized to execute and submit an application with appropriate assurances to the State of Alabama Emergency Management Agency and the Federal Emergency Management Agency, requesting HMGP funds in an amount not to exceed \$201,782.25; and

THAT, the City of Scottsboro hereby obligates to provide up to \$67,260.75 in cash match in order to complete the proposed mitigation project;

THAT, the City of Scottsboro, Alabama, hereby guarantees that such local non-federal share funds will be available upon receipt of an HMGP State-Subgrantee Disaster Assistance Agreement for the Period of Performance specified therein; and

THAT, Rick Wheeler, be and is hereby designated and appointed as Administrative/Financial Officer under the terms and pursuant to the provisions of the HMGP State-Subgrantee Disaster Assistance Agreement, and is directed and empowered to make necessary assurances and to perform on behalf of the City of Scottsboro, Alabama, those acts and assume such duties as are consistent with said position.

Adopted this 26th day of March 2007.

Motion was made by Council Member Terry Thomas 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 Council President announced there would be a Solid Waste Authority Meeting on April 2, 2007 at 5:30 pm in the Scottsboro City Hall Council Chambers.

The Mayor reported that he was waiting on a report or the discovery from Attorney Stephan Kennamer and Auditor Shelby Webster before making any decision on the missing funds.

The Mayor reported that the City Hall Employees would be moving the following week end.

Mrs. Smith said “little did I know I would be sitting on this Council again. I appreciate the appointment and will work very hard and do my best with the Council and Mayor.”

All the Council Members and Mayor welcomed Ms. Smith to the Council.

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 Matthew Hodges that the meeting be adjourned. All voted aye.