

Minutes
Scottsboro City Council
May 14, 2007

The City Council of the City of Scottsboro, Alabama met in regular session on this the 14th day of May, 2007 in the City Council Chambers at Scottsboro City Hall.

The roll was called with the following results:

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

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 Council President announced that it was now the date, time and place as advertised for a public hearing to consider the rezoning of 40.62 acres more or less located at the east end of Barbee Lane. The request is to rezone from AR (Agriculture-Recreation District) that hereafter such land 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 R1 (Single Family Residential District).

The Council President then opened the floor for anyone wishing to speak in opposition to the rezoning or in favor of the rezoning. There being no one present to speak for or against the rezoning, the Council President closed the public hearing.

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

ORDINANCE NO. 522

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 Josephine Smith
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 Buddy Simmons 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
Josephine Smith

Those voting nay: None

The Council President there upon declared the motion carried and said Ordinance No. 522 passed and was adopted as introduced and read.

FITNESS EQUIPMENT FOR THE REC COM

Upon the request of the Recreation Director, motion was made by Council Member Terry Thomas and seconded by Council Member Josephine Smith to approve the purchasing of Fitness Equipment for the Rec Com in the amount of \$19,060.27 on a three (3) year lease purchase agreement. Before a vote was taken, there was a discussion on how much money the Rec Com now has in its budget this year to put toward the purchase of the fitness equipment. It was decided that there would be \$7000.00 to purchase fitness equipment this year. Motion was made by Council Member Buddy Simmons to table any action but died for a lack of a second. It was determined that the only fitness equipment that should be purchased was what could be spent from this year's budget.

MOWERS FOR REC COM APPROVED TO BE BID

After a lengthy discussion concerning mowers for the Rec Com, motion was made by Council Member Buddy Simmons and seconded by Council Member Terry Thomas to purchase mowers for the Rec Com by letting bids. Upon a roll call vote the following voted aye: Council Members Buddy Simmons, Terry Thomas, Josephine Smith and Council President Keith Smith. Those voting nay: None. The Council President declared the motion carried.

BID OPENING FOR PORTABLE RADIOS FOR THE FIRE DEPARTMENT

Having requested bids for portable radios for the Scottsboro Fire Department, the following were received and opened prior to the Council Meeting:

Company	Bid
Radio Wholesale	610.00 each
Diversified Electronics	540.00 each
Scottsboro Communications	620.00 each
Arab Communications	625.00 each
Huntsville Radio	557.00 each
McCord Communications	504.00 each
Sharp Communications	509.00 each

Upon the recommendation of the Bid Review Committee, motion was made by Council Member Terry Thomas and seconded by Council Member Josephine Smith to award the bid to McCord Communications 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 95 GALLON AND
300 GALLON GARBAGE CONTAINERS**

Having requested bids for 95 gallon and 300 gallon garbage containers, the following were received and opened prior to the Council Meeting:

Company	95 gallon	300 gallon
Otto Industries	49.10	No bid
RMI-F	48.75	231.50
Toter Inc.	48.93	No bid

The low bidder for 95 gallon cans did not meet specifications. The lids were not sturdy enough and the handles did not meet specifications. Upon the recommendation of the Bid Review Committee, motion was made by Council Member Buddy Simmons and seconded by Council Member Terry Thomas that the 95 gallon cans be awarded to Toter Inc. and the 300 gallon cans be awarded to RMI-F as the lowest responsible bidders that met specifications. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The following Resolution was introduced by Council Member Josephine Smith and read in full by the Clerk.

RESOLUTION

WHEREAS, the City of Scottsboro, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Alabama Code of 1975 authorizes the municipal governing body to dispose of unneeded personal property;

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

Section 1. That the following personal property owned by the City of Scottsboro, Alabama is not needed for public or municipal purposes:

- A. 1999 Volvo – Heil Body – Vin # VMECMBE7XN765558#836
- B. 1994 Peterbilt – Heil Body – Vin # 1XPZLA0X0RD707878#806
- C. 1988 Chevrolet S-10 Pickup – Vin # 1GCEC14C71167844#879

Section 2. That the Mayor and City Clerk and they hereby are authorized and directed to dispose of the property owned by the City of Scottsboro, Alabama, described in Section 1 above by placing on Gov Deals.

ADOPTED AND APPROVED THIS THE 14TH DAY OF MAY 2007.

Motion was made by Council Member Josephine Smith 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 Ordinance was introduced by Council Member Buddy Simmons and received and explained by Mayor Dan Deason.

ORDINANCE NO. 523

AN ORDINANCE OF THE CITY OF SCOTTSBORO, ALABAMA, TO EXEMPT CERTAIN “COVERED ITEMS” FROM THE MUNICIPAL SALES AND USE TAX DURING THE FIRST FULL WEEKEND OF AUGUST, 2007, AS AUTHORIZED BY ACT NUMBER 2006-574, GENERALLY REFERRED TO AS THE STATE SALES TAX HOLIDAY LEGISLATION AND OTHER MATTERS IN RESPECT THERETO.

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 Josephine Smith and was unanimously carried, those voting aye being:

Council President:	Keith Smith
Council Members:	Buddy Simmons Josephine Smith Terry Thomas
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 Josephine Smith 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:	Josephine Smith Terry Thomas Buddy Simmons
Those voting nay:	None

The Council President there upon declared the motion carried and said Ordinance No. 523 passed and was adopted as introduced and read.

CHANGE ORDER FOR T HANGERS AT THE SCOTTSBORO AIRPORT

Upon the request of Ken Tolar, Tolar Construction and Kreis Wetherington, Barge, Waggoner, Sumner and Cannon, motion was made by Council Member Terry Thomas and seconded by Council Member Josephine Smith to approve the change order for T Hangers in the amount of \$1,616.00 as follows:

We are pleased to offer the following change proposals for this project:

Credit to Delete All Silt Fencing	(\$6,270.00)
Add to Install 6 ea. Hose Bibbs with Water Piping	\$7,886.00

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

NEPOTISM

Upon listening to a request to change the Nepotism Policy motion was made by Council Member Terry Thomas and seconded by Council Member Josephine Smith to table any action on any change of the Nepotism Policy. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**HIRING FREEZE EXCEPTION APPROVED
FOR THE CEMETERY DEPARTMENT**

Upon the request of Debra Borders, Human Resource Director, motion was made by Council Member Terry Thomas and seconded by Council Member Josephine Smith to approve an exception to the hiring freeze allowing the Cemetery Department to hire a temporary laborer for the summer. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The following Resolution was introduced by Council Member Terry Thomas and read and explained by the Mayor.

RESOLUTION OF THE CITY OF SCOTTSBORO

**SUPPORT FOR COMPLETION OF
BELLEFONTE NUCLEAR POWER PLANT**

BE IT RESOLVED by the City of Scottsboro as follows:

WHEREAS, our country needs advanced nuclear power plants that are safe, clean, dependable, and can generate electric energy without emitting air pollutants, and

WHEREAS, NuStart Energy Development LLC, the nation's largest consortium of nuclear power companies, has selected the Bellefonte Nuclear Plant site in Jackson County, Alabama for detailed engineering and environmental work supporting an application for combined construction and operating license (COL) utilizing new Westinghouse reactor technology, and

WHEREAS, the Tennessee Valley Authority, owner of the Bellefonte Nuclear Power Plant site, fully supports the NuStart activities, and

WHEREAS, the Tennessee Valley Authority's long-range plan to serve the energy needs of the Tennessee River Valley includes the completion of the Bellefonte Nuclear Power Plant.

NOW, THEREFORE, be it resolved that the City of Scottsboro fully supports the Tennessee Valley Authority and NuStart in the completion of the Bellefonte Site as a Nuclear Power Plant, and

THEREFORE, the City of Scottsboro respectfully requests the Nuclear Regulatory Commission to give its highest priority approving the application for Bellefonte's Combined Construction and Operating License.

Duly adopted and unanimously approved this 14th day of May, 2007.

The City Clerk announced that the terms of Babs Williams, Gina Pitt and Jimmy Bergman have expired on the Architectural Review Board.

Anyone wishing to serve on this Board, please make a request in writing by 12:00 noon on May 31, 2007.

One term will expire on April 12, 2011, and two terms will expire on April 12, 2010.

The terms of Jimmy Bray, George Brickley and Ricky Baird have expired on the Board of Adjustments and Appeals.

Anyone wishing to serve on this Board, please make a request in writing by 12:00 noon on May 31, 2007.

The new terms are to expire on December 31, 2010.

The term of Tommy Sisk on the Public Park and Recreation Goosepond Board is expiring this month.

Anyone interested in serving on this Board, please make a request in writing by 12:00 noon on May 31, 2007.

The new term expires on May 22, 2013.

Mayor Deason thanked the Council for approving the Sales Tax Ordinance and the Resolution promoting Bellefonte.

Mayor Deason reminded the Council any spraying at the Rec Com would fall under the day to day operation of the City Management.

He thanked the Airport Board for all their hard work to make the Fly In a success.

He also said it was good to see a good crowd in attendance tonight.

Council Member Terry Thomas thanked the Electric Power Board and the Scottsboro Street Department for their good work during the storm. He also said he appreciated the people that came out in attendance as well as city employees.

Council Member Josephine Smith thanked everyone that had come out and commended the city employees for their good work.

Council Member Buddy Simmons thanked everyone for coming out and reminded Mayor Deason if he would handle the day to day operations in a timely manner the Council would not have to be involved.

Council President Smith said he was proud to be here.

There being no further business to come before the Council at this time, motion was made by Council Member Terry Thomas and seconded by Council Member Buddy Simmons that this meeting be continued until May 21, 2007 following the Work Session. Upon vote being taken, all voted aye.