

**Minutes**  
**Scottsboro City Council**  
**June 11, 2007**

The City Council of the City of Scottsboro, Alabama met in regular session on this the 11th day of June, 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:	Matthew Hodges Buddy Simmons Terry Thomas Josephine Smith
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 after adding a no. 8 to the Old Business for a response to the Nepotism issue and deleting item no. 18 under New Business.

The minutes from the May 14, 2007 and May 21, 2007 Council Meetings were read and approved as read.

**AN APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENTS**

The terms of Johnny McCrary and Anita Cornelison had expired on the Zoning Board of Adjustment. Mr. McCrary or Ms. Cornelison did not want to be reappointed. Mr. Phillip Moore, an alternate member, asked to be moved to a regular member.

Motion was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges to appoint Mr. Phillip Moore to a regular member of the Zoning Board of Adjustments. Terms to expire June 1, 2010. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The Clerk announced that there was an opening for a regular member and an alternate member on the Zoning Board of Adjustment. Anyone interested in serving on this Board should make a request in writing by 12:00 noon on the 14<sup>th</sup> day of June, 2007.

**AN APPOINTMENT TO THE PUBLIC PARK AND RECREATION BOARD**

Council Member Terry Thomas nominated Matt Lockmiller.

Council Member Buddy Simmons nominated Tommy Sisk.

Council Member Matthew Hodges nominated Joe Barnes.

Upon a roll call vote for Tommy Sisk, the following voted aye: Council President Keith Smith and Council Member Buddy Simmons. Those voting nay: Council Members Josephine Smith, Matthew Hodges and Terry Thomas.

Upon a roll call vote for Joe Barnes, the following voted aye: Council President Keith Smith and Council Members Buddy Simmons, Josephine Smith and Matthew Hodges. Those voting nay: Council Member Terry Thomas.

The Council President declared Joe Barnes appointed to the Public Park and Recreation Board. Term to expire May 22, 2013.

### **AN APPOINTMENT TO THE EQUALIZATION BOARD**

There is one vacancy on the Equalization Board for the City Council to make an appointment to be forwarded to the Governor. Council Member Josephine Smith nominated Bruce Yates. There being no other nominations, all council members voted aye for Bruce Yates. The Council President declared Bruce Yates appointed to the Equalization Board.

### **THREE APPOINTMENTS TO THE ARCHITECTURAL REVIEW BOARD**

The terms of Babs Williams, Gina Pitt and Jimmy Bergman have expired on the Architectural Review Board. Babs Williams and Jimmy Bergman asked to be reappointed. Gina Pitt did not wish to be reappointed. Lynette Nichols made a request to be appointed.

Motion was made by Terry Thomas and seconded by Council Member Josephine Smith to appoint Lynette Nicholas and to reappoint Babs Williams and Jimmy Bergman to the Architectural Review Board. Upon voted being taken, all voted aye. The Council President declared the motion carried.

### **THREE APPOINTMENTS TO THE BOARD OF ADJUSTMENTS AND APPEALS**

The terms of Jimmy Bray, George Brickley and Ricky Baird Jr. have expired on the Board of Adjustments and Appeals. Jimmy Bray and George Brickley have requested to be reappointed. Ricky Baird is now an employee and cannot be reappointed. Stacey Ledwell has requested to be appointed to this Board. Motion was made by Council Member Josephine Smith and seconded by Council Member Matthew Hodges to appoint Stacey Ledwell and to reappoint Jimmy Bray and George Brickley. Upon voted being taken, all voted aye. The Council President declared the motion carried.

### **TWO REAPPOINTMENTS TO THE HISTORIC PRESERVATION COMMISSION**

The terms of Bonnie Weeks and Ann Chambliss have expired on the Historic Preservation Commission. Both Ms. Week and Ms. Chambliss have requested to be reappointed. Motion was made by Council Member Buddy Simmons and seconded by Council Member Terry Thomas to reappoint Ms. Weeks and Ms. Chambliss. Upon vote being taken, all voted aye. The Council President declared the motion carried.

City Attorney Stephen Kennamer said the kids employed as part time summer help with the Parks and Recreation Department aren't guilty of any wrong doing. However, he said that the City could legally terminate their employment based on the current policy. Attorney Kennamer recommended that the City's application be changed to ask if you are related to anyone working for the City. He also recommended that anyone related in the same department leave when their job is up this year and that the Executive Board see that this does not happen again. The Council President asked that further discussion be continued to the Work Session.

Police Chief Ralph Dawe introduced the Council and those in attendance to the Department's new drug dog. Zackie Gant is the Police Officer in charge of the new drug dog and showed everyone how he could detect drugs.

The Police Chief had presented his organizational chart for the Police Department at the Work Session for the Council to review.

### **APPROVED ORGANIZATION CHART FOR THE POLICE DEPARTMENT**

Motion was made by Council Member Terry Thomas and seconded by Council Member Josephine Smith to approve the organizational chart presented by Chief Dawe shown revised June 2007 with 45 total sworn officers. The chart is on file in the Human Resource office, City Clerk's office and at the Scottsboro Police Department. Upon vote being taken, all voted aye. The Council President declared the motion carried.

### **CHANGE ORDER APPROVED FOR T HANGER CONSTRUCTION**

Motion was made by Council Member Buddy Simmons and seconded by Council Member Terry Thomas to approve up to \$20,000.00 for the purpose to remove and replace

approximately 2,000 C Y of poor soil at the Scottsboro Airport for the construction of the T Hangers. The City saved approximately \$15,000.00 from the original estimate by providing the fill dirt and the dump trucks for hauling. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The Old City Hall Committee advised the Council that they were meeting with an architect on Thursday and would make a report back to the Council at the Work Session.

Upon the request of Attorney Gary Lackey, representing Police Captain Gary McDonald, a claim for reimbursement of the attorney fees acquired by Captain McDonald when he was terminated in April of 2006 was placed on the agenda. There was no motion to put the claim on the floor when called for by the Council President. The Council President declared that the claim dies for a lack of a motion.

**PORTABLE TOILETS TO BE BID**

Motion was made by Council Member Terry Thomas and seconded by Council Member Buddy Simmons to place portable toilets on bid to be opened prior to the next Council Meeting. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**BID OPENING FOR BREATHING APPARATUS**

Having requested bids for breathing apparatus for the Scottsboro Fire Department, the following were received and opened prior to the Council Meeting.

Company	Bid
NAFECO	\$156,000.00
Bay Tire Equipment	147,395.00

It is recommended by the Bid Review Committee that the lowest bid not be accepted due to eight (8) exceptions to the specifications. Upon the recommendation of the Bid Review Committee motion was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges that the bid be awarded to NAFECO as the only bidder that met specifications in the amount of 156,000.00. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**BID OPENING FOR A TRACTOR FOR THE REC COM**

Having requested bids for a tractor for the Recreation Department, the following were received and opened prior to the Council Meeting.

Company	Bid
TriGreen Equipment	\$16,250.00
Boykin Tractor	13,699.00

Upon the recommendation of the Bid Review Committee motion was made by Council Member Josephine Smith and seconded by Council Member Terry Thomas to award the bid to Boykin Tractor 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 A MOWER FOR THE REC COM**

Having requested bids for a mower for the Rec Com the following were received and opened prior to the Council Meeting.

Company	Bid
TriGreen Equipment	\$10,500.00
Boykin Tractor	9,658.00
Pendergrass Farms & Motor	9,365.00

Upon the recommendation of the Bid Review Committee motion was made by Council Member Buddy Simmons and seconded by Council Member Terry Thomas to award the bid to Pendergrass Farms and Motor in the amount of \$9,365.00 as the lowest responsible bidder that met specifications. Upon vote being taken, all voted aye. The Council President declared the motion carried.

#### **APPROPRIATION TO THE CAREER CENTER APPROVED**

Motion was made by Council Member Matthew Hodges and seconded by Council Member Terry Thomas to appropriate up to \$5,500.00 for the 2007-2008 fiscal year to fund the Jackson County Career Center along with the Legislative Delegation and the Jackson County Commission. Upon vote being taken, all voted aye. The Council President declared the motion carried.

Mayor Deason reminded the Council that in the past prior to the hiring freeze that to replace an employee it required three (3) signatures, the Department Head, the Human Resource Director and the Mayor. He asked the Council to return the hiring of vacant positions to the day to day operations of the City. Council Member Hodges said he would like for the Council to look at the organizational charts and Chain of Command of each Department before considering the Mayor's request. No action was taken. The Council President reminded the Mayor that five (5) positions in the Street Department were given up to give five (5) people higher ranks. Council Member Buddy Simmons said he understood that each Department wants more men, but we have to control what we've got. Can we afford it? "No" he said.

#### **HIRING FREEZE EXCEPTION**

Motion was made by Council Member Terry Thomas and seconded by Council Member Buddy Simmons to approve a hiring freeze exception for a part time manager at the Senior Center and a part time attendant at the Airport. Upon vote being taken, all voted aye. The Council President declared the motion carried.

#### **APPROVED FUNDING FOR ADVERTISING IN THE CHAMBER MAGAZINE**

Motion was made by Council Member Matthew Hodges and seconded by Council Member Josephine Smith to approve \$2000.00 for advertising in the Chamber of Commerce magazine. Upon vote being taken, all voted aye. The Council President declared the motion carried.

#### **NEW T HANGER RENT AT AIRPORT APPROVED**

Motion was made by Council Member Terry Thomas and seconded by Council Member Buddy Simmons to increase the T Hanger rent at the Scottsboro Airport.

Old T Hanger – New rate - \$125.00 per month  
New T Hanger when completed - \$140.00 per month  
New T Hangers –with extra storage when complete - \$150.00 per month

Before a vote was taken it was discussed if the new T Hangers would require the renter to have garbage pick up. The Council President asked Mr. Blizzard, Mr. Hodges and Attorney Kennamer to meet and resolve the question about the garbage. 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 City 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 THEREFOR, 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:

ASSET ID	UNIT NO.	SERIAL OR VIN NO.	VEHICLE MODEL	
STREET DEPT				
TRUCKS				
1366	704	1GBM7DIG5EV114686	C-70	K-BOOM
1372	705	1FTDF15N9MNA68767	F-150	PICK UP
1409	707	1FTDF15NIPNA91481	F-150	PICK UP
NA	713	C75FVR57756	F-700	FLAT BED
1428	724	1FTDF15N3PNA91482	F-150	PICK UP
1370	725	F37YUA80141	F-350	FLAT BED
NA	728	B35JE9X155400	VAN-300	VAN
1360	737	1GBJC34J7DV111688	C-30	1-TON
1584	738-1	1GCEG25K1PF308129	G-20	VAN
1444	759	1B7FD14WOF5655016	RAM-100	PICK UP
1401	764	1FDNF70HSHVA53462	F-700	BUCKET TRUCK
1375	769	1GBM7H1POMJ108257	C-70	KODIAK
1376	775	1FDYK74C3RVA44211	F-700	K-BOOM
1398	779	1FBJS31HXRHB19570	E-350	VAN
1427	780	B35BE7K211432	B100	VAN
1380	788	1GBM7D1G5GV119521	C-70	GARBAGE TRUCK
1365	789	1GBM7D1G8FV211737	C-70	BOX DUMP
1372	792	1FDTK84A7LVAC8422	F-800	FLAT BED (K-BOOM REMOVE)
1367	793	1GBG6D1A8BV12248	C-60	LEAF BED
1459	NA	1FDYS90L5PVA4713	LS-9000	GARBAGE TRUCK
NA	NA	B60BBCZ08314	HC BUS	HC BUS
EQUIPMENT				
NA	NA	M. 2C980	BLOWER	18 1/8 " DIAMETER WHEEL
1404	766	1.00669E+14	JD BUSH HOG	6' BUSH HOG
1405	766	W00609C048697	JD BUSH HOG	6' BUSH HOG
1407	766	1.00710E+12	JD BUSH HOG	7' BUSH HOG
1463	766	294588	FDR 2572-6	FINISH MOWER LAND PRIDE
1470	766	BW14190	25-60	FINISH MOWER LAND PRIDE
1388	752	924564	ST-72 SWEEPSTER	SELF-PORPELLED BROOM
1465	NA	122280	ROSO TAR POT	TACT WAGON
1464	NA	NA	CONCRETE MIXER	ELECTICAL MIXER 110 A/C
1431	712	2121	LEAF MACHINE	
NA	726	40008	PAINT MACHINE	SMALL
1434	729	2333	LEAF MACHINE	
1424	749	S#185 MODEL #240	PAINT MACHINE	LINEAR
	750	10K11796	D-6 DOZER	CATERPILLAR
1437	774	KTM0811-212-000-037	175C	TRKLOADER
CITY HALL				
NA	422	1FTHS34H1LHA03140	ECONOLINE VAN	VAN
NA	NA	1NL1HYLSEHA49058	BUS FULL SIZE	SCHOOL BUS
REC-COM				
Kubota Tractor	V7200E	6AV2ARZVITTFD		
352	1009	1GCCS14R9H2152087	S-10	PICK UP
358	1007	1GBK6PIPXLV110559	BUS	BUS

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 11<sup>TH</sup> DAY OF JUNE, 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.

**ALL PART TIME EMPLOYEES TO BE HIRED THRU THE HUMAN RESOURCE DEPARTMENT**

Motion was made by Council Member Terry Thomas and seconded by Council Member Josephine Smith that effective immediately all part time help be hired through the

Human Resource Department and that all part time as well as full time employees be given a drug test. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The Council President said the Council owes Mrs. Borders a debt of gratitude for taking on more responsibility.

The Council President ask Attorney Kennamer to research who legally assigns rooms at City Hall. He said it seems that the Council Room was being taken from them. He asked Mr. Kennamer to report back to the Council.

Mayor Deason reported that the Big Bass Splash was the biggest ever.

He reported that the City Hall Ribbon Cutting and Open House was a success.

He reported that he was waiting on an ABI report on the missing money and would see that the responsible person would be handled according to their report.

Mayor Deason read the following letter from the City Clerk:

Dear Mayor Deason:

It has been my privilege to serve the City of Scottsboro as City Clerk-Treasurer for the past 30 ½ years. I was fortunate enough to be appointed for eight (8) terms serving under six (6) Mayors. I have seen many changes over the past 30 years which for the most part have been good.

After much thought and careful consideration, I feel the time has come for me to step down and enjoy some time off and have time to travel and catch up on some reading. I have also promised Mrs. Arlene Grede I will take over some of the Sarah Betty Ingram committees that she is serving as interim until my retirement.

Having conducted fifteen (15) Mayor-Council Elections and a few special called elections, I am aware of all the laws, rules and regulations that must be accurately followed during an election. Therefore, I have set my retirement date as November 3, 2008 following next year's election.

I will be more than pleased to have someone work with me the next several months to learn the duties of the City Clerk.

I thank all the Mayors and Council Members that I have served under. They have all accepted me and made my job fulfilling.

Respectfully Submitted,

Gail Duffey, CMC  
City of Scottsboro

The Mayor reminded everyone of Father's Day the 17<sup>th</sup> of June. He was also happy to see a good crowd out.

Council Members Terry Thomas, Matthew Hodges, Josephine Smith and Buddy Simmons was glad to see everyone out.

The Attorney reported he would be seeking an abatement judgment against Lakeside Mobile Home Park this week.

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.