

**Minutes
Scottsboro City Council
July 9, 2007**

The City Council of the City of Scottsboro, Alabama met in regular session on this the 9th day of July, 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 as prepared by the Council President.

Mr. Dan Anderson with Rural Development came before the Council and offered to look at the last three (3) years of the City's financial records to see if the City would qualify for a Government loan at a possible 4.5% rate. The loan would be for a new Animal Shelter or the remodeling of the old City Hall. The only other cost other than the interest rate would be an attorney fee which would amount to approximately 1% of the loan. A loan can be made for no less than \$500,000.00 and no more than \$20 million. The loan could be paid off early without a penalty. The Council thanked Mr. Anderson for coming and explaining how the City could make a loan through Rural Development.

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

**AN ORDINANCE AMENDING ORDINANCE NO. 357 WHICH AMENDED
ORDINANCE NO. 322 OF THE CITY OF SCOTTSBORO CONCERNING THE
PICK UP OF CERTAIN WASTE BY THE SCOTTSBORO STREET
DEPARTMENT AND OTHER MATTERS RELATING THERETO.**

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. Those voting aye being:

Council President:	Keith Smith
Council Members:	Buddy Simmons Terry Thomas Josephine Smith

Those voting nay being: Matthew Hodges

The motion did not carry due to lack of unanimous consent. The Ordinance will be voted on at the next regular Council Meeting.

**J. H. PARTNERS ACCEPTED AS ARCHITECTS
FOR RENOVATING THE OLD CITY HALL**

Upon the recommendation of Council Member Buddy Simmons and Police Chief Ralph Dawe, motion was made by Council Member Terry Thomas and seconded by Council Member Buddy Simmons to accept J. H. Partners as the Architect to renovate the old City

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

The Council President reported that John Drain had applied for an Alcoholic Beverage License.

The Clerk reported that the name of the establishment is Margaritas Mexican Restaurant located at 1709 South Broad Street. A background investigation was clear. The type license requested is a Restaurant serving liquor. Out of a survey of nine (9) businesses and residences there were four (4) no objections, three (3) objections and two (2) no contact. The nearest church and school met the required distance. The floor space, parking, health, fire, building and zoning all complied.

The license application is in order. The Council President opened the floor for anyone in opposition or to speak for the license. There was no one present to speak.

**RESOLUTION TO APPROVE AN ALCOHOLIC BEVERAGE
LICENSE FOR MARGARITA MEXICAN RESTAURANT**

BE IT RESOLVED BY THE SCOTTSBORO CITY COUNCIL OF THE CITY OF SCOTTSBORO; that an Alcoholic Beverage License be approved for John Drain, owner of Margarita Mexican Restaurant for Restaurant serving liquor license.

Approved this the 9th day of July, 2007.

Motion to adopt the above resolution was made by Council Member Buddy Simmons and seconded by Council Member Terry Thomas. 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 in full by the Clerk.

RESOLUTION

WHEREAS, the rules and regulations of the Scottsboro Police Department have set certain wrecker fees and storage fees for impounded vehicles; and

WHEREAS, the City of Scottsboro through its City Council finds it to be in the best interest of the public as well as expedient and appropriate to raise said fees.

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

On impounded vehicles the wrecker service fee is set at \$85.00. After the vehicle has been impounded for a period of twenty-four (24) hours a \$10.00 storage fee per day will be imposed.

This fee increase shall become effective upon the due passage by the City Council of this resolution.

DATED this the 9th day of July, 2007.

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.

The following Ordinance was introduced by Council Member Terry Thomas and read and explained by the City Attorney.

Ordinance No. 524

AN ORDINANCE PROHIBITING THE OPERATION OF CERTAIN TYPES OR KINDS OF VEHICLES ON CERTAIN STREETS WITHIN THE CITY OF SCOTTSBORO, ALABAMA AND OTHER MATTERS RELATED THERETO.

It was moved by Council Member Terry Thomas that all rules and regulations which unless suspended, would prevent the immediate consideration of said Ordinance be given. The motion was unanimously carried, those voting aye being:

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

Those voting nay: None

The Council President declared the motion carried.

During a discussion it was decided to delete dual axel and have the Ordinance to apply to tractor trailer trucks only.

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
Matthew Hodges

Those voting nay: None

The Council President thereupon declared the motion carried and said Ordinance No. 524 passed and was adopted as introduced and read.

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

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCOTTSBORO, ALABAMA as follows:

WHEREAS, Willow Street within the City of Scottsboro, Alabama is a State Highway enumerated Highway # 279; and

WHEREAS, Willow Street at its intersection with Moody Ridge Road (located near the Scottsboro Municipal Airport and Maples Industries) has been the site of several automobile crashes and several near misses; and

WHEREAS, the health and safety of the public is negatively impacted by the dangerousness of this intersection.

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

The City of Scottsboro does hereby request of the State of Alabama the installation of a caution light at this intersection.

DULY RESOLVED this the 9th day of July, 2007.

Motion was made by Council Member Josephine Smith and seconded by Council Member Buddy Simmons to adopt the above Resolution and ask the City Clerk to write a letter to the

Alabama Department of Transportation and send the Resolution. 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 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:

1. Twenty-seven (27) walkie talkies from the Fire Department
2. Four (4) Police car light bars
3. Four (4) Police car cages

Section 2. That the Mayor and City Clerk are hereby authorized and directed to dispose of the property owned by the City of Scottsboro, Alabama, described in Section 1 above, by donating ten (10) walkie talkies to other City Departments and donating four (4) police car light bars and four (4) police car cages to other Jackson County Municipalities. Selling the remaining 17 walkie talkies at a reasonable cost to other Jackson County Municipalities.

ADOPTED AND APPROVED THIS THE 9TH DAY OF JULY 2007.

Motion was made by Council Member Matthew Hodges 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.

A job description for a City Clerk was presented to the Council Members. This Job Description was rewritten due to separating the City Clerk from the position of the Finance Officer. The description is on file in the Human Resource and the City Clerk's offices.

Motion was made by Council Member Josephine Smith and seconded by Council Member Terry Thomas to adopt the City Clerk's Job Description. Upon vote being taken, all voted aye. The Council President declared the motion carried.

A job description for an Assistant City Clerk to train with Ms. Duffey, the City Clerk, and to replace the City Clerk when she retires was presented to the Council. This is a full time temporary non-classified position. Motion was made by Council Member Terry Thomas and seconded by Council Member Josephine Smith to adopt the job description. The Job Description is on file in the Human Resource and City Clerk's offices. Upon roll call vote the following voted aye:

Council Members:	Buddy Simmons Josephine Smith Terry Thomas Matthew Hodges
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Council President:	Keith Smith
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Those voting nay:	None
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The Council President declared the motion carried.

Motion was made by Council Member Terry Thomas and seconded by Council Member Buddy Simmons to post the job description for an Assistant City Clerk for 30 days, then interview and hire a full time/temporary non classified City Clerk to train with the current City Clerk. Upon vote being taken, all voted aye. The Council President declared the motion carried.

The Council President told the Council he had met with the Prison Industries concerning the building of an Animal Control Shelter and that the price of \$150,000.00 from each of the County Commission and City of Scottsboro would need to be increased to \$225,000.00 from each the County and the City. He asked that the Council approve an additional \$75,000.0. He also told the Council that the building of the Animal Shelter would be adjacent to the Old Bailer Building off Abbie Lane rather than off Hwy 72 adjacent to the Solid Waste Building.

Motion was made by Council Member Buddy Simmons and seconded by Council Member Josephine Smith to appropriate an additional \$75,000.00 to the recently approved \$150,000.00 for a total of \$225,000.00 to help construct a new Animal Shelter. During a discussion, Council Member Hodges said he could not comprehend what we are voting on. Council Member Hodges then made a motion to table any action on appropriating additional funds until he could study it further. The motion was seconded by Council Member Terry Thomas. Upon vote being taken, the following voted aye:

Council Members:	Buddy Simmons
	Josephine Smith
	Terry Thomas
	Matthew Hodges

The Council President did not vote. The Council President declared the motion carried.

Mayor Deason gave a report on upcoming events in Scottsboro.

He reported that the Waterworks, Sewer and Gas Board has given \$50,000.0 for Street repairs.

Council Member Terry Thomas asked that the Police increase the night coverage on the square.

The Council Members thanked everyone for coming out.

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.