

**Minutes  
Scottsboro City Council  
September 24, 2007**

The City Council of the City of Scottsboro, Alabama met in regular session on this the 24th day of September, 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 Josephine Smith 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 September 10, 2007 Council Meeting were read and approved as read.

Sheldon Webster and Charlie Polmatier of BKR Borland Benefield told the Scottsboro City Council that the City is in good financial position. Financial highlights presented were as follows: Total assets of \$55.2 million; liabilities of \$45.7 million leaving net assets \$9.5 million. Approximately \$24 million of the \$45.7 million in liabilities is an obligation of the Scottsboro School Board.

They reported that the audit took in excess of 1400 hours to conduct. During the audit there were reportable conditions and material weakness found. One of the reportable conditions is that the City has failed to develop adequate internal control, policies and procedures concerning segregation of duties in the financial department. The auditors recommended reorganization of the finance department by hiring additional qualified accounting staff.

They also stated that there appears to be material management issues and internal control weakness in the operation of the Public Parks and Recreation Board. Cost of the audit is \$137,852.00.

The following Resolution was introduced by Council Member Josephine Smith and read and explained by the City Clerk.

**RESOLUTION**

**BE IT RESOLVED BY THE SCOTTSBORO CITY COUNCIL OF THE CITY OF SCOTTSBORO, ALABAMA;** that the Scottsboro City Council does by this Resolution set aside in the 2007-2008 General Fund Budget such funds to come under the provisions of Act 2007-257.

That each eligible retiree of the City of Scottsboro whose effective date of retirement is prior to December 14, 2007 be given a one time lump sum payment. The estimated amount to be set aside for this payment is \$19,536.30.

Adopted this the 24<sup>th</sup> day of September, 2007.

Motion was made by Council Member Josephine Smith and seconded by Council Member Terry Thomas to adopt the above Resolution. Upon roll call vote the following voted aye: Council Members Josephine Smith, Terry Thomas and Matthew Hodges. Those voting nay: None. Those abstaining: Council Members Buddy Simmons and Council President Keith Smith. The Council President declared the motion carried.

## **CONSIDERATION OF NEPOTISM ORDINANCE**

Motion was made by Council Member Terry Thomas and seconded by Council Member Matthew Hodges to reconsider the nepotism ordinance. Upon roll call vote the following voted aye: Council Members Josephine Smith, Terry Thomas, Matthew Hodges and Buddy Simmons. Those voting nay: None. Those abstaining: Council President Keith Smith. The Council President declared the motion carried

### **ORDINANCE NO. 527**

#### **AN ORDINANCE AMENDING SCOTTSBORO'S VARIOUS NEPOTISM ORDINANCES AND OTHER MATTERS WITH RESPECT THERETO**

Printed in Ordinance Book No. 4

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 seconded by Council Member Matthew Hodges and was unanimously carried. Those voting aye being:

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

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 Terry Thomas that said Ordinance be now placed upon its final passage and adoption. The motion was seconded by Council Member Matthew Hodges. 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 Members:	Terry Thomas Matthew Hodges Buddy Simmons
Those voting nay:	Council President:	Keith Smith Josephine Smith

The Council President thereupon declared the motion carried and said Ordinance No. 527 passed and was adopted as introduced and read.

Motion was made by Council Member Buddy Simmons to adopt the organizational chart for the Solid Waste Department that had been presented by the Solid Waste Director Eddie Blizzard. The motion failed for a lack of a second.

Motion was made by Council Member Matthew Hodges to adopt the organizational chart for the Street Department as presented by the Acting Street Department Director Joe Rodgers. The motion failed for a lack of a second.

Mayor Deason reported that he and Financial Director Rick Wheeler had prepared a budget and had it ready to begin Budget Hearings when the Council was ready.

The Council President reported that Heather Wilbanks had applied for an Alcoholic Beverage License. The Clerk reported that the name of the establishment is Billy Joe's located at 2941 C Veterans Dr. The type license is a Lounge License not in connection with a hotel, motel or restaurant. A personal background investigation was clear. Out of a survey of eleven residences and businesses there were six no objections, three objections and two no contacts. The nearest church and school met the required distance. The parking

and floor space requirements were met. The License application was in order. The health, fire and building inspections are pending final inspections. The zoning complies.

The Council President opened the floor for public input concerning the license being issued. There was no one to speak for or in opposition of the license being issued. The Council President closed the public hearing.

**A RESOLUTION TO APPROVE AN ALCOHOLIC BEVERAGE LICENSE PENDING FINAL INSPECTIONS FOR BILLY JOE’S**

**BE IT RESOLVED** by the Scottsboro City Council that the Council does hereby approve a lounge license (not in connection with a hotel, motel or restaurant) on this the 24<sup>th</sup> day of September, 2007 for Billy Joe’s located at 2941 C Veterans Dr. The license is not to be issued until final inspections are approved.

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

**APPROVED PAYMENT TO SENTRY CONSTRUCTION**

Motion was made by Council Member Matthew Hodges and seconded by Council Member Terry Thomas to approve payment to Sentry Construction in the amount of \$6,347.90 for items stolen at the site of Fire Station No. 2 during construction. The payment was ordered by the courts after the City refused to pay. Upon vote being taken, all voted aye. The Council President declared the motion carried.

Mayor Deason did not have proposals on repairing the roof at the Civic Center. He was asked to bring the estimates to the Budget Hearings.

Finance Director Rick Wheeler presented the following Budget adjustments:

2006-2007 Capital Equipment Sales Budget Adjustment					
	Fire	Street	Sanitation	Cost of Auction	Net for Cap Eq
1994 Peterbilt			19,500.00	1,365.00	18,135.00
1975 Caterpillar		18,101.00		1,267.00	16,834.00
1993 Dresser Loader		30,200.00		2,114.00	28,086.00
1994 Ford Knuckleboom		7,525.00		527.00	6,998.00
1988 Chevrolet S-10			950.00	67.00	883.00
1999 Volvo Garbage Truck			29,700.00	2,079.00	27,621.00
1980 Pierce Fire Truck	10,250.00			718.00	9,532.00
Conveyor			3,800.00	266.00	3,534.00
1995 Chevrolet			3,500.00	245.00	3,255.00
1989 Chevrolet			840.10	59.00	781.10
SCBA	27,150.00				27,150.00
Radios	1,900.00				1,900.00
	39,300.00	55,826.00	58,290.10	8,707.00	144,709.10

Adjustment to 2006-2007 Budget		
Fire Capital Equipment	38,582.00	DR
Street Capital Equipment	51,918.00	DR
Sanitation Capital Equipment	54,209.00	DR

	8,707.0	
Professional Fees	0	DR
	(153,416.0	
Asset Sales	0)	CR
	<u>          </u>	
	-	

Motion was made by Council Member Terry Thomas and seconded by Council Member Josephine Smith to amend the Budget to allow the above mentioned departments to spend the money received from Capital Equipment Sales for items needed in their respective Department. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**BID OPENING FOR AN UNDERCARRIAGE FOR A DOZIER FOR THE SOLID WASTE DEPARTMENT**

Having requested bids for an undercarriage for a Dozier for the Solid Waste Department only one bid was received which was several thousand dollars more than was budgeted. Upon the recommendation of the Bid Review Committee, motion was made by Council Member Buddy Simmons and seconded by Council Member Matthew Hodges to reject the bid and rebid. 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.

**A RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCOTTSBORO, ALABAMA,** that to the extent it is empowered to do so, the City Council hereby grants to the Knights of Columbus a permit and authorization to conduct a roadblock on October 6, 2007 or rain date October 13, 2007 from 7:00 A.M. until 4:00 P.M. over City streets and highways; namely four corners located at WEST WILLOW STREET AND CEDAR HILL DRIVE, PARKS AVENUE AND BROAD STREET, FIVE POINTS AND ONLY ON COUNTY PARK ROAD AT THE INTERSECTION OF HIGHWAY 72 for the purpose of raising funds for the ARC upon condition the City of Scottsboro be indemnified against loss or damage which the City may suffer as a result of the City's permitting this roadblock activity; and that no person under the age of 18 be allowed to participate in the roadblock; and;

**BE IT FURTHER RESOLVED,** that the solicitors participating in this roadblock activity are required to wear bright colored vests and that warning signs of the roadblock be posted and that the roadblock be conducted in a reasonably safe manner, and with as little interference as possible with the normal flow of traffic.

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

Mayor Deason appreciated everyone coming out.

Council Member Terry Thomas asked everyone to remember the Craig family during the death of Mr. Bob Craig.

Council Member Josephine Smith commended Center Point Baptist Church for recognizing our Police and Fire Departments on 9-11. She also recognized the Great Author David Baldacci who was recognized by the Impact Learning Center for his book, Wish You Well.

The Council President officially announced that the discussion of combining the Street and Solid Waste Department would be held on October 11, 2007 following the Work Session.

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 Terry Thomas that the meeting be adjourned. All voted aye.