

**Minutes  
Scottsboro City Council  
November 26, 2007**

The City Council of the City of Scottsboro, Alabama met in a Council Meeting in the City Hall Council Chambers in Scottsboro on this the 26<sup>th</sup> day of November, 2007.

The meeting was called to order by the Council President and the roll was called with the following results:

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

City Clerk Gail Duffey and City Attorney Stephen Kenamer were also present. Mayor Dan Deason was having tests at the Huntsville Hospital.

The Council President stated a quorum was present and the meeting was open for the transaction of business.

The agenda was adopted as prepared by the Council President.

The Minutes from the November 13<sup>th</sup> continued Meeting were read and approved as read.

Ryan Nelson with Nelson and Company came before the Council and made a report on necessary changes to the turn lanes on US 72. To correct the situation ALDOT had given permission to remove the existing shoulders 10" down with a milling machine. The Contractor then can install stone bases that would vary in thickness of 4" at the edge of the travel lane to 8" at the outside edge of the turn lane. After the stone base is installed then 3.5" of lower binder, 3.0" of upper binder and 1.5" of wearing surface will be installed as the final buildup.

The cost of this Change Order No. 1 is \$24,760.82. There is an estimated \$10,000.00 left in the construction budget so this would increase Scottsboro's total commitment from \$200,000.00 to approximately \$215,000.00. ALDOT will maintain the turn lanes.

**MOTION TO APPROVE ADDITIONAL FUNDS FOR  
CHANGE ORDER #1 TURN LANE ON HIGHWAY 72**

Motion was made by Council Member Matthew Hodges and seconded by Council Member Josephine Smith to approve a budget amendment of \$15,000.00 for Change Order No. 1 for necessary changes to the turn lane on US Highway 72. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**AUTHORIZATION FOR THE COUNCIL PRESIDENT TO  
SIGN THE CHANGE ORDER #1**

Motion was made by Council Member Matthew Hodges and seconded by Council Member Josephine Smith to authorize the Council President, Keith Smith to sign Change Order No. 1 for necessary changes on the Highway 72 turn lanes in the absence of the Mayor. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**AUTHORIZATION FOR THE AIRPORT MANAGER  
TO USE APPROVED CAPITAL OUTLAY FUNDS**

Upon the request of Airport Manager Sonny Hodges, motion was made by Council Member Matthew Hodges and seconded by Council Member Josephine Smith to approve \$1000.00 of budget approved Capital Outlay Funds to be used for having the concrete floor for the 8 new T-Hangers sealed. The total cost for the sealer is \$3300.00. The balance will

come from an undercut on the project of \$2400.00. The Contractor had advised that if the City will pay for the cost of the sealer he will seal the floor without charging the City and cost for labor. 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**

**BE IT RESOLVED**, by the City Council of the City of Scottsboro, Alabama, that the City enter into an agreement with the State of Alabama; acting by and through the Alabama Department of Transportation for; the installation, operation and maintenance of an intersection flashing beacon on SR 279 at Moody Ridge Rd in the City of Scottsboro, which agreement is before this Council, and that the agreement be executed in the name of the City, by its Mayor, for and on its behalf and that it be attested by the City Clerk and the seal of the City be affixed thereto.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the agreement, by all parties, that a copy of such agreement be kept on file with the City by the City Clerk.

Passed and adopted this 26<sup>th</sup> day of November, 2007.

Motion was made by Council Member Josephine Smith 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 following Resolution was introduced by Council Member Matthew Hodges and read and explained by the Clerk.

### **A RESOLUTION SETTING A PUBLIC HEARING ON THE ADOPTION OF A PROPOSED ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF SCOTTSBORO, ALABAMA AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING**

**WHEREAS**, the Scottsboro Planning Commission has recommended that the Scottsboro City Council adopt an amendatory ordinance to the Zoning Ordinance of the City of Scottsboro, Alabama which would result in changing the zoning of the lands described in the proposed amendatory ordinance as therein set forth, and

**WHEREAS**, it is the judgment and opinion of the City Council that consideration should be given to the adoption of such proposed amendatory ordinance.

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

1. That the City Council shall hold a public hearing on the adoption of such proposed amendment to the City's Zoning Ordinance and such public hearing shall be held at the City Hall in the City of Scottsboro, Alabama, on the 14<sup>th</sup> day of January, 2008.
2. That the proposed ordinance shall be considered by the City Council at such time and place, and at such time and place all persons who desire shall have an opportunity of being heard in the opposition to or in favor of such proposed amendment to the City's Zoning Ordinance.
3. That the proposed amendatory ordinance, together with this resolution of which said ordinance is a part, shall be published in a newspaper of general circulation published within the City of Scottsboro once a week for two successive weeks, and both newspaper publications shall be at least fifteen days in advance of the passage of said proposed amendatory ordinance.

4. That said proposed amendatory ordinance is to be in substantially the following:

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF SCOTTSBORO, ALABAMA**

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

**SECTION ONE:** The Zoning of the following described lands will be changed from R-1, (Single Family Residential District) and C-3 (General Commercial District) that hereafter such lands 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: P-1, (Planned Unit Development District);

**TRACT A**

A tract of land containing 47.12 acres more or less, situated in the NW ¼ and the SW ¼ of the NE ¼, and the NE ¼ and the SE ¼ of the NW ¼ of Section 29, T4S, R6E, Scottsboro, Jackson County, Alabama said tract also lying with the boundaries of the Webb Plantation as shown by map of plat of said subdivision on file and of record in Cabinet A at Slide A-14 in the Office of the Judge of Probate of Jackson County, Alabama being more particularly described as follows:

Beginning at a Rock on the Northeast Corner of section 29, T4S, R6E, Scottsboro, Alabama, said point also being the Northeast Corner of Lot 15 of said Webb Plantation; thence run S 89°29'38" W along the north boundary line of said Section 29 and said Webb Plantation for a distance of 1351.02 feet to the Northeast Corner of Lot 17 of the said Webb Plantation, said point being the TRUE POINT OF BEGINNING, thence continue S 89°29'38" W along the north boundary line of said section 29 and the north boundary line of said Lot 17 for a distance of 802.64 feet to the Northeast Corner of Scottsboro City Board of Education property; thence run S 39°15'38" W along the east boundary line of said property for a distance of 800.61 feet to a point on the south right-of-way margin of Webb Street extended; thence run S 89°08'48" W along said south right-of-way margin for a distance of 890.59 feet to an existing iron pin; thence run S 01°03'46" E for a distance of 325.00 feet to an existing iron pin; thence run S 89°08'48" W for a distance of 153.39 feet to a point on the east right-of-way margin of Larkin Street; thence run S 01°03'46" E along said east right-of-way margin for a distance of 222.15 feet to the Northwest Corner of the Scottsboro Newspapers, Inc. property; thence run N 52°25'00" E along the northwest boundary line of said property for a distance of 193.41 feet to a point; thence run S 60°59'38" E along the north boundary line of said property for a distance of 375.33 feet to a point; thence run S 50°23'42" W along the east boundary line of said property for a distance of 332.18 feet to a point on the north right-of-way margin of Alabama Highway 35; thence run S 60°58'15" E along said north right-of-way margin for a distance of 372.97 feet to a point; thence run along said right-of-way margin a curve to the right a chord bearing of S 55°54'27" E a chord distance of 260.38 feet to a point; thence run N 40°12'41" E for a distance of 32.25 feet to a point on the centerline of Garland Ferry Road an abandon road; thence run S 49°47'19" E along said east right-of-way margin for a distance of 225.52 feet to a point; thence run N 40°12'32" E along said east right-of-way margin for a distance of 49.80 feet to a point; thence run S 49°08'36" E along said east right-of-way margin for a distance of 83.65 feet to a point; thence run S 83°41'14" E for a distance of 57.65 feet to a fence corner on the west boundary line of Lot 16 of said Webb Plantation; thence run N 32°25'20" E along an existing fence line which is the west boundary line of said Lot 16 for a distance of 2293.91 feet to a point, back to the TRUE POINT OF BEGINNING, said tract of land subject to any existing road or utility easements or rights-of-way.

**TRACT B**

A part of Tract 16 of the Webb Plantation as recorded in the Probate Office of Jackson County, Alabama at Slide A, Page 89 and a part of the N ½ of the NE ¼ and a part of the

SW ¼ of the NE ¼ of Section 29, Township 4 South, Range 6 East of the Huntsville Meridian and being more particularly described as follows:

Commence at the Northeast corner of said Section 29 and run a tie line with the North boundary thereof South 89 degrees 29 minutes 38 seconds West a distance of 297.14 feet to the Northeast corner of said Tract 16 of said Webb Plantation and the Northeast corner of the tract hereby described and the true point of beginning, thence with the Southeast boundary of said Tract 16 S 45°53' W a distance of 2736.2 feet to the Eastern-most corner of Scott Cemetery, thence with the boundaries of said cemetery N 54°42'30" W a distance of 203.55 feet, thence S 32°23' W a distance of 249.8 feet to the Northeast margin of Alabama Highway 35 (Veteran's Drive), thence with said margin N 52°26' W a distance of 96.36 feet, thence leaving said highway and with the West boundaries of said Tract 16 S 83°41'14" E a distance of 57.65 feet, thence N 32°25'20" E a distance of 2293.91 feet to the North boundary of said Section 29, thence with said North boundary N 89°29'38" E a distance of 1053.88 feet to the point of beginning and containing 29.00 acres more or less.

**SECTION TWO:** The Zoning Ordinance of the City of Scottsboro, Alabama and the official Zoning Map forming a part of said Zoning Ordinance are hereby altered, amended, changed and modified in accordance with Section One hereof.

**SECTION THREE:** This ordinance shall become effective immediately upon its due passage and publication, as required by law.

Duly passed and adopted on the \_\_\_\_ day of \_\_\_\_\_, 2008.

City of Scottsboro, Alabama

\_\_\_\_\_  
President of the City Council

Authenticated and Attested:

\_\_\_\_\_  
City Clerk

Transmitted to and approved by the Mayor, this the \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Mayor

SEAL  
ATTEST

\_\_\_\_\_  
City Clerk

This Resolution adopted and approved on this the 26<sup>th</sup> day of November, 2007.

\_\_\_\_\_  
President of the City Council

ATTEST:

\_\_\_\_\_  
City Clerk

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

**ORGANIZATIONAL CHART FOR FIRE DEPARTMENT APPROVED**

Motion was made by Council Member Josephine Smith and seconded by Council Member Matthew Hodges to approve the Organizational Chart presented by Fire Chief Melton Potter dated 11/26/07. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**JOB DESCRIPTION FOR FACILITY COORDINATOR  
AND ACCOUNTING/BILLING CLERK FOR  
SOLID WASTE DEPARTMENT APPROVED**

Motion was made by Council Member Josephine Smith and seconded by Council Member Matthew Hodges to approve job descriptions presented to the Council by Human Resource Director, Debra Borders and Department Superintendent Eddie Blizzard for a Facility Coordinator and Accounting/Billing Clerk. Job descriptions are on file in the Human Resource office and at the Solid Waste Department. Upon vote being taken, all voted aye. The Council President declared the motion carried.

**JOB DESCRIPTION FOR ACCOUNTING CLERK  
FOR GENERAL ADMINISTRATION APPROVED**

Motion was made by Council Member Matthew Hodges and seconded by Council Member Josephine Smith to approve the job description for an Accounting Clerk for the General Administration Department presented to the Council by Human Resource Director Debra Borders and Finance Director Rick Wheeler. The job description is on file in the Human Resource Department and the City Clerk's office. Upon vote being taken, all voted aye. The Council President declared the motion carried. Job description dated 11-26-07.

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 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. 48 USED 4 YD. CONTAINERS
- B. 48 USED 8 YD. CONTAINERS

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.

Section 3. That funds received from sale of all containers be placed in the Solid Waste Capital Outlay for use in the purchase of a new truck.

**ADOPTED AND APPROVED THIS THE 26<sup>TH</sup> DAY OF NOVEMBER, 2007.**

Motion was made by Council Member Josephine Smith 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.

**APPROVAL TO PURCHASE A NEW VEHICLE  
FOR THE MAYOR'S OFFICE**

Motion was made by Council Member Josephine Smith and seconded by Council Member Matthew Hodges to approve replacing the Mayor's office vehicle and for a new vehicle to be placed on bid. Upon vote being taken, all voted aye. The Council President declared the motion carried.

Council Member Hodges thanked everyone for coming out and to continue to keep Mayor Deason and Council Member Simmons in their prayers.

Council Member Josephine Smith expressed her appreciation to the staff for putting up Christmas decorations. She stated that most businesses had professional decorators and that city workers did their own decorating.

There being no further business to come before the Council at this time, motion was made by Council Member Josephine Smith and seconded by Council Member Matthew Hodges that the meeting be adjourned. All voted aye.