

**MINUTES OF THE
SCOTTSBORO CITY COUNCIL
JULY 27, 2020**

The City Council of the City of Scottsboro, Alabama met on July 27, 2020 at 6:00 p.m. in the Gail J. Duffey Auditorium of the Scottsboro City Hall.

The meeting was called to order by Council President Patrick Stewart. Formalities were given at the preceding Work Session. The roll was called by the City Clerk Whitney Phillips with the following results:

Present:	Council President:	Patrick Stewart
	Council Members:	Richard Bailey Greg Mashburn Gary Stewart Mike Ashburn
Absent:		none

Also present were Mayor Robin Shelton, City Attorney Stephen Kennamer and City Clerk Whitney Phillips.

Council President Patrick Stewart reviewed the agenda and called for a motion to adopt the agenda as prepared. Motion was made by Council Member Gary Stewart and was seconded by Council Member Mike Ashburn. No discussion. Upon vote being taken all voted aye. The Council President declared the agenda adopted.

A motion was made by Council Member Greg Mashburn and was seconded by Council Member Richard Bailey to approve the Minutes of July 13, 2020. No Discussion. Upon a vote being taken all members voted aye. The Minutes were declared adopted by the Council President.

OLD BUSINESS:

NONE

NEW BUSINESS

**CONSIDER RESOLUTION 2020-07-24: ELECTION
WITHOUT OPPOSITION/ PRESENT CERTIFICATE OF
ELECTION**

**RESOLUTION 2020-07-24
ELECTION WITHOUT OPPOSITION**

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and town of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Section 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person

shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the City of Scottsboro has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of Board of Education, Place No. 4 prior to the deadline and that the name of that person who filed such statement was Mr. Patrick Woosley.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsboro that Patrick Woosley be and he is hereby declared duly elected to the office of Board of Education Place No. 4 in the City of Scottsboro for the term of office commencing at the first meeting in September, 2020, and

BE IT FURTHER RESOLVED, that the Mayor of the City of Scottsboro be and he hereby is directed to issue a certificate of election to Mr. Patrick Woosley for the office of Board of Education Place No. 4 for such term pursuant to the provisions of Section 11-46-25, as amended.

Adopted this the 27th day of July, 2020

Presiding Officer

ATTEST:

City Clerk

Council President Patrick Stewart called for a motion to approve Resolution 2020-07-24. Motion was made by Council Member Gary Stewart and seconded by Council Member Mike Ashburn. No discussion. Upon a vote being taken all members voted aye.

Council President Patrick Stewart presented a Certificate of Election to Patrick Woosley.

CONSIDER RESOLUTION 2020-07-25: APPOINT ELECTION OFFICIALS

**RESOLUTION 2020-07-25
A RESOLUTION APPOINTING ELECTION OFFICIALS
FOR THE GENERAL MUNICIPAL ELECTION TO BE
HELD ON AUGUST 25, 2020, AND FOR THE FURTHER
PURPOSE OF A RUN-OFF ELECTION IF NEEDED TO BE
HELD ON OCTOBER 6, 2020.**

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

(1) That the following persons are hereby named, designated and appointed as officials

to hold and conduct the general municipal election to be held at the Scottsboro Rec-Com in the City of Scottsboro, Alabama on August 25, 2020 for the purpose of electing a Mayor, a Council Member for Place No. 1, a Council Member for Place 2, a City School Board Member for Place No. 4 and a City School Board Member for Place No. 5 and for the purpose of counting absentee votes.

TITLES

Chief Inspector	Deborah Jones
Assistant Inspector	William Jones
Assistant Inspector	Kelly Goodowens
Provisional Voting	Beth Mannon
Machine Clerk	Jim Reid
Machine Clerk	J.D. Stevens

MACHINE DESIGNATED

Machine 1	Carolyn Roberson, Pat Light and Ena Martin
Machine 2	Joyce Chandler, Mary Abernathy and Robbie Maxwell
Machine 3	Anita McGill, Brenda Ivey and Dolores Goodowens
Alternates	Laura Pitts, Ellen McCallie

ABSENTEE OFFICIALS

1 st Clerk	Edith Hambrick
2 nd Clerk	Gene Greer
3 rd Clerk	Rita Blair Essig
4 th Clerk	Judi Weaver
Inspector	Johnny Ivey

- (2) That the Clerk shall publish a list of the election officers so appointed either by posting a list thereof, showing the voting places and the election officers appointed for each voting place in three public places in the City of Scottsboro or by publishing such a list in a newspaper published in said City of Scottsboro at least ten (10) days before the election.
- (3) That the same election officials also be designated and appointed as officials to hold and conduct a run-off election if one is required on October 6, 2020.

Adopted and approved this the 27th day of July 2020.

Patrick Stewart, Council President

City Clerk, Whitney Phillips

Council President Patrick Stewart called for a motion to approve Resolution 2020-07-25. Motion was made by Council Member Mike Ashburn and seconded by Council Member Gary Stewart. No discussion. Upon a vote being taken all members voted aye.

**ANNOUNCE INDUSTRIAL DEVELOPMENT BOARD
VACANCIES**

City Clerk Whitney Phillips announced Blake Wright and Ken Looney's terms on the Industrial Development Board expire August 2020. Anyone interested should apply in writing to the City Clerk's office by 4:30 pm on Monday, August 3, 2020.

ANNOUNCE ZONING ADJUSTMENT BOARD VACANCY

City Clerk Whitney Phillips announced Will Bradford has resigned from the Zoning Adjustment Board. This is a three (3) year term. Anyone interested should apply in writing to the City Clerk's office by 4:30 pm on Monday, August 3, 2020.

**CONSIDER APPROPRIATION TO THE SCHOOL
RESOURCE OFFICER PROGRAM**

Council President Patrick Stewart called for a motion to appropriate \$32,000 to the School Resource Officer Program. Motion was made by Council Member Mike Ashburn and seconded by Council Member Greg Mashburn. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER BUDGET AMENDMENT FOR MOWER FOR
CEMETERY DEPARTMENT**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$5,000 for a mower for the Cemetery Department. Motion was made by Council Member Greg Mashburn and seconded by Council Member Richard Bailey. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER RESOLUTION 2020-07-26: TIER I/TIER II RSA
CONVERSION**

RESOLUTION 2020-07-26

RESOLUTION TO PROVIDE TIER I BENEFITS TO TIER II PLAN MEMBERS

WHEREAS, under the provisions of Act 2019-132, employers who participate in the Employees' Retirement System pursuant to *Ala. Code* § 36-27-6 may elect to provide Tier I retirement benefits to Tier II plan members, and

WHEREAS, the City of Scottsboro participates in the Employees' Retirement System pursuant to *Ala. Code* § 36-27-6 and wishes to improve retirement benefits for its Tier II plan members;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCOTTSBORO, that the City of Scottsboro elects to provide Tier I retirement benefits to its Tier II plan members, subject to approval by the Employees' Retirement System Board of Control; that, if approved, such election shall be effective the following fiscal year and is irrevocable.

BE IT FURTHER RESOLVED that the City of Scottsboro has reviewed the actuarial cost estimates provided by the Employees' Retirement System for such election and agrees to pay any resulting increases in the employer contribution rate.

BE IT FURTHER RESOLVED that beginning in the month of October, 2020, the City of Scottsboro's Tier II plan members shall contribute 7.5% of their earnable compensation to the Employees' Retirement System and the City of Scottsboro's Tier II plan members who

are firefighters or law enforcement officers, as defined by *Ala. Code* § 36-27-59(a), shall contribute 8.5% of their earnable compensation to the Employees' Retirement System, as required by Act 2019-132.

BE IT FURTHER RESOLVED that the City of Scottsboro has not increased the member contribution rates for its Tier I members as provided by Act 2011-676 and, as required by *Ala. Code* § 36-27-6.5, the City of Scottsboro has submitted to the Employees' Retirement System a plan to increase such rates.

Adopted and Approved this the 27th day of July, 2020.

Patrick Stewart, Council President

Attest:

Whitney Phillips, City Clerk

Council President Patrick Stewart called for a motion to approve Resolution 2020-07-26 with an effective date of October 1, 2020. Motion was made by Council Member Richard Bailey and seconded by Council Member Mike Ashburn. No discussion. Upon a vote being taken all members voted aye.

REPORTS AND ANNOUNCEMENTS

Delegations-none

Mayor Robin Shelton had nothing to report.

Council Member Richard Bailey commented that the Tier II conversion was a big step for the employees.

Council Member Mike Ashburn commented on Tier II conversion and SRO program.

Council Member Gary Stewart commented on his recent trip to the Recycling Facility and Landfill.

Council Member Greg Mashburn announced his appreciation for the work Fire Chief Gene Necklaus, Finance Director Rick Wheeler, and other employees have done on the Tier II Conversion. He also congratulated the Bass Cats on their State Championship and would like to invite them to be recognized at a meeting.

Council President Patrick Stewart commented on the Tier II Conversion and the work the employees have done for this. He also congratulated the Bass Cats Championship. He announced there will be a Work Session and Council Meeting Monday, August 3, 2020 at 6 pm.

There being no further business to come before the Council at this time, Council President Patrick Stewart called for a motion to adjourn. Motion was made by Council Member Greg Mashburn and seconded by Council Member Richard Bailey. Upon a vote being taken all members voted aye. Meeting adjourned at 6:51 pm.

Date Approved: August 3, 2020

CITY OF SCOTTSBORO

Patrick Stewart, Council President

ATTEST:

Whitney Phillips, City Clerk

Robin Shelton, Mayor

ATTEST:

Whitney Phillips, City Clerk