

**MINUTES OF THE  
SCOTTSBORO CITY COUNCIL  
SEPTEMBER 28, 2020**

The City Council of the City of Scottsboro, Alabama met on September 28, 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 Greg Mashburn and was seconded by Council Member Richard Bailey. No discussion. Upon vote being taken all voted aye. The Council President declared the agenda adopted.

A motion was made by Council Member Mike Ashburn and was seconded by Council Member Gary Stewart to approve the Minutes of September 14, 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**

**PUBLIC HEARING: ALCOHOL LICENSE: MARK BANGS  
D/B/A SCOOTERS SPORTS GRILL LLC**

An application for a Restaurant Retail Liquor (Class I) license from Mark Bangs D/B/A Scooters Sports Grill LLC located at 3701 East Willow Street was presented to the Council by City Clerk Whitney Phillips.

Council President Patrick Stewart called for a Public Hearing for anyone to speak for or against the issuance of this alcohol license. No one spoke for or against the issuance of the license. Mr. Mark Bangs was present. Council President Patrick Stewart closed the Public Hearing.

Council President Patrick Stewart called for a motion to approve the alcohol license. Motion was made by Council Member Richard Bailey and seconded by Council Member Gary Stewart. No Discussion. Upon a vote being taken all members voted Aye.

**BE IT RESOLVED** by the City of Scottsboro as follows: that the City Council has received and reviewed the City application for Mark Bangs D/B/A Scooters Sports Gill LLC and finds and determines that a Restaurant Retail Liquor (Class I) license is hereby approved **on this the 28<sup>th</sup> day of September, 2020.**

**PUBLIC HEARING: ALCOHOL LICENSE: NISHA SHAH  
D/B/A TROTTER LIQUOR STORE**

An application for a Retail Liquor for Off Premise Consumption license from Nisha Shah D/B/A Trotter Liquor Store located at 24860 John T. Reid Parkway was presented to the Council by City Clerk Whitney Phillips.

Council President Patrick Stewart called for a Public Hearing for anyone to speak for or against the issuance of this alcohol license. No one spoke for or against the issuance of the license. Nisha Shah was present. Council President Patrick Stewart closed the Public Hearing.

Council President Patrick Stewart called for a motion to approve the alcohol license. 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.

**BE IT RESOLVED** by the City of Scottsboro as follows: that the City Council has received and reviewed the City application for Nisha Shah D/B/A Trotter Liquor Store and finds and determines that a Retail Liquor for Off Premise Consumption license is hereby approved **on this the 28<sup>th</sup> day of September, 2020.**

**CONSIDER BUDGET AMENDMENT FOR MAIN STREET  
BANNERS**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$2,875 for Main Street Banners. Motion was made by Council Member Mike Ashburn and seconded by Council Member Richard Bailey. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER BUDGET AMENDMENT FOR CHAMBER OF  
COMMERCE FOR REIMBURSEMENT FOR BASS  
TOURNAMENT**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$10,000 to the Chamber of Commerce for reimbursement for the Bass Tournament. Motion was made by Council Member Greg Mashburn and seconded by Council Member Gary Stewart. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER BUDGET AMENDMENT FOR VETERANS  
PARK PAVING**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$9,000 for Veterans Park Paving. 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 BUDGET AMENDMENT FOR TIRE CHANGERS  
FOR VEHICLE MAINTENANCE DEPARTMENT**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$14,000 for tire changers for the Vehicle Maintenance 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 BUDGET AMENDMENT TO REPLACE AIR LINES FOR VEHICLE MAINTENANCE DEPARTMENT**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$2,500 to replace air lines for the Vehicle Maintenance Department. 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.

## **CONSIDER BUDGET AMENDMENT FOR LIGHTING AT AIRPORT**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$4,400 for lighting at the Airport. Motion was made by Council Member Mike Ashburn and seconded by Council Member Richard Bailey. No discussion. Upon a vote being taken all members voted aye.

## **CONSIDER BUDGET AMENDMENT FOR BUSH HOGS FOR STREET DEPARTMENT**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$34,000 Bush hogs for the Street Department. Motion was made by Council Member Greg Mashburn and seconded by Council Member Richard Bailey. Little discussion. Upon a vote being taken all members voted aye.

## **CONSIDER BUDGET AMENDMENT FOR DOWNTOWN REDEVELOPMENT AUTHORITY MATCHING FUNDS**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$40,000 for Downtown Redevelopment Authority matching funds. Motion was made by Council Member Gary Stewart and seconded by Council Member Greg Mashburn. No discussion. Upon a vote being taken all members voted aye.

## **CONSIDER BUDGET AMENDMENT FOR VEHICLE FOR RECREATION DIRECTOR**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$25,000 for a vehicle for the Recreation Director. 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 SURGE ROCK**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$15,181 for surge rock. Motion was made by Council Member Richard Bailey and seconded by Council Member Greg Mashburn. No discussion. Upon a vote being taken all members voted aye.

## **CONSIDER BUDGET AMENDMENT FOR KING STREET TILE REPLACEMENT**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$12,978 for King Street tile replacement. 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.

## **CONSIDER BUDGET AMENDMENT FOR BASSMASTER ELITE SERIES TOURNAMENT**

Council President Patrick Stewart called for a motion to approve a budget amendment for \$50,000 for the BassMaster Elite Series Tournament. 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.

## **CONSIDER AMENDING PAY SCALE FOR POLICE OFFICERS AND FIREFIGHTERS**

Council President Patrick Stewart called for a motion to approve amend the payscale from Range 17 to Range 18 for Police Officers and Firefighters effective 10/1/2020. Motion was made by Council Member Richard Bailey and seconded by Council Member Greg Mashburn. No discussion. Upon a vote being taken all members voted aye.

## **CONSIDER ONE-TIME HOLIDAY FOR CITY EMPLOYEES**

Council President Patrick Stewart called for a motion to approve a one-time holiday on October 12 in observance of Columbus Day. 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.

## **CONSIDER COST-OF-LIVING RAISE**

Council President Patrick Stewart called for a motion to approve a 2% cost-of-living raise effective 10/5/2020. Motion was made by Council Member Mike Ashburn and seconded by Council Member Richard Bailey. No discussion. Upon a vote being taken all members voted aye.

## **ANNOUNCE DOWNTOWN REDEVELOPMENT AUTHORITY APPOINTMENT**

Council President Patrick Stewart called for nominations for the DRA appointment. Council Member Mike Ashburn nominated Merri Wright. There were no other nominations.

Council President Stewart closed the nominations and called for a motion to appoint Merri Wright to the Downtown Redevelopment Authority. Motion was made by Council Member Gary Stewart and seconded by Council Member Richard Bailey. No discussion. Upon a vote being taken all members voted aye.

## **ANNOUNCE WATER, SEWER, AND GAS BOARD APPOINTMENTS**

Council President Patrick Stewart announced that Charles Yarbrough and Elna Matthews have requested to be re-appointed. There were no other applicants.

Council President Stewart called for a motion to re-appoint Charles Yarbrough and Elna Matthews to the WSG Board. 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 MUNICIPAL JUDGE AND ASSISTANT MUNICIPAL JUDGE APPOINTMENTS**

Council President Patrick Stewart announced Daryl Eustace has requested to be re-appointed as Municipal Judge. There were no other applicants. He also announced Payton

Edmiston has requested to be re-appointed as Assistant Municipal Judge. There were no other applicants.

Council President Stewart called for a motion to re-appoint Daryl Eustace as Municipal Judge and Payton Edmiston as Assistant Municipal Judge. Motion was made by Council Member Greg Mashburn and seconded by Council Member Gary Stewart. No discussion. Upon a vote being taken all members voted aye.

## **ANNOUNCE TWO (2) MUNICIPAL PROSECTORS APPOINTMENTS**

Council President Patrick Stewart announced Deborah Dunsmore and Patricia Stewart have requested to be re-appointed as Municipal Prosecutors. There were no other applicants.

Council President Stewart called for a motion to re-appoint Deborah Dunsmore and Patricia Stewart as Municipal Prosecutors. 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, Council Member Gary Stewart abstained from the vote.

## **CONSIDER ORDINANCE 615: AMEND ZONING ORDINANCE**

Ordinance 615 on file.

Council President Patrick Stewart called for a motion to approve Ordinance 615. Motion was made by Council Member Greg Mashburn and seconded by Council Member Gary Stewart. No discussion. Upon a vote being taken all members voted aye.

## **CONSIDER RESOLUTION 2020-09-31: AWARD FUEL BID**

### **RESOLUTION 2020-09-31**

**WHEREAS**, The City of Scottsboro, Alabama is in need of Fuel; and

**WHEREAS**, Section 41-16-50 through 41-16-63, Code of Alabama 1975 authorizes the municipal governing body to secure sealed bids; and

**WHEREAS**, Section 11-45-2(c) of the Alabama Code of 1975 authorizes the municipal governing body to accept bids by the adoption of a resolution;

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

Section 1. That the City of Scottsboro posted one (1) bid, mailed four (4) bids by US Postal Service, and received three (3) bids for Fuel.

	Unleaded Gasoline 87 Octane	Unleaded Gasoline 93 Octane	#2 Diesel Fuel
(cents above cost)			
Petroleum Traders Corp. (Fort Wayne, Indiana)	0.1340	0.1340	0.1431
JAT Oil (Chattanooga, TN)	0.089	0.089	0.098
Valley Oil Company (Chattanooga, TN)	0.0795	0.0995	0.0795

Section 2. It is recommended by the Bid Review Committee that the bid for 87 octane gas and #2 diesel fuel be awarded to Valley Oil Company and the bid for 93 octane gas be awarded to JAT Oil as the lowest bidders that met specifications.

Adopted this the 14<sup>th</sup> day of September, 2020.

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Council President, Patrick Stewart

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City Clerk, Whitney Phillips

Council President Patrick Stewart called for a motion to approve Resolution 2020-09-31. Motion was made by Council Member Richard Bailey and seconded by Council Member Gary Stewart. No discussion. Upon a vote being taken all members voted aye.

### **CONSIDER REQUEST TO VACATE PORTION OF RIGHT OF WAY**

Council President Patrick Stewart called for a motion to vacate a portion of the right of way at 55 Bluff View Drive in the River Ridge Subdivision. Motion was made by Council Member Mike Ashburn and seconded by Council Member Richard Bailey. No discussion. Upon a vote being taken all members voted aye.

### **CONSIDER SIGNAL & SEWER AGREEMENTS WITH WHITE DEVELOPMENT COMPANY**

Council President Patrick Stewart called for a motion to approve a signal agreement for \$225,000 and Sewer Agreement for \$125,000 with White Development Company. Motion was made by Council Member Richard Bailey and seconded by Council Member Gary Stewart. No discussion. Upon a vote being taken all members voted aye.

### **REPORTS AND ANNOUNCEMENTS**

Delegations-none

Mayor Robin Shelton had nothing to report. Thanked the Council for amending the payscale for Police and Fire.

Council Member Richard Bailey commented that they need to have some serious talks about the ballfields being open to the public; he has had several calls.

Council Member Mike Ashburn commented that hopefully the recent truck ordinance has helped with the truck issue.

Council Member Greg Mashburn commended the Department Heads, Council, and Mayor for their hard work and time spent during the budget meetings.

Council Member Gary Stewart had nothing to report.

Council President Patrick Stewart announced there will be a Work Session and Council Meeting on Monday, October 5, 2020 at 6 pm. There will not be a meeting on October 12, 2020. He thanked everyone involved in the budget meetings.

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 Gary Stewart and seconded by Council Member Mike Ashburn. Upon a vote being taken all members voted aye. Meeting adjourned at 6:49 pm.

Date Approved: October 5, 2020

**CITY OF SCOTTSBORO**

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Patrick Stewart, Council President

ATTEST:

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Whitney Phillips, City Clerk

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Robin Shelton, Mayor

ATTEST:

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Whitney Phillips, City Clerk