

**MINUTES OF THE
SCOTTSBORO CITY COUNCIL
AUGUST 23, 2021**

The City Council of the City of Scottsboro, Alabama met on August 23, 2021 at 5:00 p.m. in the Gail J. Duffey Auditorium of the Scottsboro City Hall.

The meeting was called to order by Council President Richard Bailey. Invocation was given by Mayor Jim McCamy. The Pledge of Allegiance was led by Council Member Mike Ashburn. The roll was called by the City Clerk Whitney Phillips with the following results:

Present:	Council President:	Richard Bailey
	Council Members:	Ralph Dawe Nita Tolliver Mike Ashburn Gary Stewart
Absent:		none

Also present were Mayor Jim McCamy, City Attorney Stephen Kennamer and City Clerk Whitney Phillips.

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

A motion was made by Council Member Nita Tolliver and was seconded by Council Member Mike Ashburn to approve the Minutes of August 9, 2021. 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: CYNTHIA LAW
STEPHENS D/B/A GENO'S PIZZA & GRILL**

Council President Richard Bailey called for a motion to set rules aside. Motion was made by Council Member Mike Ashburn and seconded by Council Member Ralph Dawe. Council President Bailey calls for a roll call vote. Taken by City Clerk Whitney Phillips.

Council Member Ralph Dawe - Aye
Council Member Nita Tolliver - Aye
Council Member Mike Ashburn - Aye
Council Member Gary Stewart - Aye
Council President Richard Bailey - Aye

Council President Richard Bailey called for a motion to approve the transfer of license (address change) pending final inspection and final approval by the ABC board. Motion was made by Council Member Nita Tolliver and seconded by Council Member Gary Stewart. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER ORDINANCE 624: AMEND ZONING
ORDINANCE: REZONE PROPERTY LOCATED AT 301
SOUTH HOUSTON ST.**

ORDINANCE NO. # 624

**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 C-1 (Central Business 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: R-3 (Single and Two Family Residential District).

301 South Houston Street

-Legal Description –

A said tract of land containing 1.03 acres, more or less located in the Southwest quarter of the Southeast quarter of Section 19, and the Northwest quarter of the Northeast quarter of Section 30, Township 4 South, all in Range 6 East of the Huntsville Meridian, City of Scottsboro, said land bounded to the North by West Peachtree Street, to the West by South Houston Street, to the South by West Appletree Street and to the East by the center of a creek, said land more particularly described as follows:

Commence at ALDOT monument S-504, said monument being in a concrete wall at the Post Office, thence South 63 degrees 42 minutes 01 seconds West a distance of 1488.61 feet to a 1" iron found at the intersection of the South right-of-way of West Peachtree Street (45" ROW) and the West right-of-way of South Houston Street (45" ROW), said 1" iron being the Point of Beginning.

Thence from the Point of Beginning, and along said South right-of-way of West Peachtree Street, South 88 degrees 10 minutes 59 seconds East a distance of 221.41 feet to the center line of a creek, thence with said creek, South 02 degrees 57 minutes 07 seconds West a distance of 177.80 feet to an angle point in the creek, thence continuing with the creek, South 13 degrees 44 minutes 06 seconds West a distance of 28.60 feet to a point of intersection of the creek and the North right-of-way of West Appletree Street (40' ROW), thence with said North right-of-way of West Appletree Street (40' ROW), thence with said North right-of-way, North 87 degrees 54 minutes 54 seconds West a distance of 212.25 feet to a 5/8" rebar with Steely cap found at the intersection of the North right-of-way of West Appletree Street and the West right-of-way of South Houston Street, thence with said West right-of-way of South Houston Street, North 01 degrees 53 minutes 33 seconds East a distance of 132.34 feet to a 1" iron found, thence continuing with said right-of-way, North 01 degrees 53 minutes 33 seconds East a distance of 72.42 feet to the Point of Beginning.

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 23rd of August, 2021.

City of Scottsboro, Alabama

President of the City Council

Authenticated and Attested:

City Clerk

Transmitted to and approved by the Mayor, this 23rd day August, 2021.

SEAL

Mayor

ATTEST

City Clerk

Council President Richard Bailey called for a motion to approve Ordinance 624. Motion was made by Council Member Gary Stewart and seconded by Council Member Ralph Dawe. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER SCOTTSBORO HIGH SCHOOL BAND
BOOSTERS TOURISM GRANT APPLICATION**

Council President Richard Bailey called for a motion to approve Scottsboro High School Band Boosters Tourism Grant application in the amount of \$4,000.00 out of the tourism fund. Motion was made by Council Nita Tolliver and seconded by Council Member Gary Stewart. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER ORDINANCE 625: ANNEXATION OF IDB
PROPERTY.**

ORDINANCE NO. 625

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF
SCOTTSBORO, ALABAMA, AND OTHER MATTERS RELATING THERETO**

***BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCOTTSBORO,
ALABAMA AS FOLLOWS:***

1. The City Council finds and determines as follows:
 - a. The following described property is located and contained within the area contiguous to the corporate limits of the City of Scottsboro, Alabama and such property does not lie within the corporate limits or police jurisdiction of any other municipality.
 - b. The owners of such hereinafter described property have signed and filed a written petition requesting that said property be annexed to the City of Scottsboro, Alabama. Such petition contains an accurate description of the property proposed to be annexed together with a map of said territory showing its relationship to the corporate limits of the City of Scottsboro, Alabama and the signatures of all the owners of the property described.
 - c. The City of Scottsboro, Alabama, is an incorporated municipality with a population of approximately fifteen thousand inhabitants, located in the State of Alabama.

2. The property described in said petition and which is requested to be annexed into the City of Scottsboro is described as follows:

That certain property identified on "Exhibit A" attached hereto, and incorporated by reference, as "Tract 1". All that tract or parcel of land located in the Northwest Quarter of the Southwest Quarter of Section 24, and the Northeast Quarter of the Southeast Quarter of Section 23, Township 5 South, Range 5 East of the Huntsville Meridian and more particularly described as follows:

Commence at TVA Monument Number 175, said monument being the Southwest corner of Section 24, thence North 0 degrees 55 minutes 52 seconds West a distance of 1773.93 feet to a 1/2" rebar found in a gravel parking lot on the West Right of Way of an un-named Road, said rebar being the Point of Beginning.

Thence from the Point of Beginning, and leaving said Right of Way, North 55 degrees 0 minutes 28 seconds West a distance of 405.35 feet to a 3/4" rebar found, thence North 35 degrees 1 minutes 0 seconds East a distance of 404.65 feet to a 1/2" rebar with cap found, thence South 54 degrees 57 minutes 5 seconds East a distance of 405.09 feet to a 1/2" rebar with cap found on the back of a curb, said rebar also being on the West margin of an un-named road, thence with said West Margin, South 34 degrees 58 minutes 51 seconds West a distance of 404.25 feet to the Point of Beginning.

Said Tract of land containing 3.76 acres, more or less.

That certain property identified on "Exhibit A" attached hereto, and incorporated by reference, as "Tract 2". All that tract or parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 23, Township 5 South, Range 5 East of the Huntsville Meridian and more particularly described as follows:

Commence at TVA Monument Number 175, said monument being the Southwest corner of Section 24, thence North 0 degrees 55 minutes 52 seconds West a distance of 1773.93 feet to a 1/2" rebar found in a gravel parking lot on the West Right of Way of an un-named Road, said rebar being the Point of Beginning.

Thence from the Point of Beginning and with the West Margin of the un-named road, South 34 degrees 58 minutes 54 seconds West a distance of 245.06 feet to a 1/2" rebar found(bent), thence leaving said Right of Way North 54 degrees 59 minutes 27 seconds West a distance of 405.61 feet to a 1/2" rebar found(bent), thence North 35 degrees 2 minutes 33 seconds East a distance of 244.94 feet to a 3/4" rebar found, thence South 55 degrees 0 minutes 28 seconds East a distance of 405.35 feet to the Point of Beginning.

Said tract of land containing 2.28 acres, more or less.

3. The City Council of Scottsboro, Alabama, hereby assents to the annexation of the above described property to the City of Scottsboro, Alabama, and the corporate limits of said City of Scottsboro shall hereafter be comprised of not only the present city limits but such corporate limits shall be extended and rearranged so as to embrace and include said above described property and such above described property shall become a part of the corporate area of the City of Scottsboro, Alabama upon the publication of this ordinance or if approval is required by the Department of Justice of the United States of America then upon the receipt of said approval.
4. A certified copy of this ordinance shall be filed in the office of the Judge of Probate of Jackson County, Alabama.

ADOPTED AND APPROVED on this the 23rd day of August, 2021.

Council President, C. Richard Bailey

ATTEST:

City Clerk, Whitney Phillips

Transmitted to the Mayor of the City of Scottsboro on the 23rd day of August, 2021.

Mayor, Jim McCamy

ATTEST:

City Clerk, Whitney Phillips

Council President Richard Bailey called for a motion to approve Ordinance 625. Motion was made by Council Member Ralph Dawe and seconded by Council Member Nita Tolliver. No discussion. Upon a vote being taken all members voted aye.

CONSIDER ADDITIONAL PAVING APPROPRIATION.

Council President Richard Bailey called for a motion to approve additional paving appropriations up to \$550,000.00 to cover County Park Road and Roseberry Dr. Funds out of excess revenues from prior years. Motion was made by Council Member Mike Ashburn and seconded by Council Member Nita Tolliver. No discussion. Upon a vote being taken all members voted aye.

CONSIDER BUDGET AMENDMENT FOR ADDITIONAL FENCING AT KING CALDWELL PARK

Council President Richard Bailey called for a motion to approve a budget amendment for additional fencing at King Caldwell Park in the amount of \$1,145.38 from excess sales tax. Motion was made by Council Member Nita Tolliver and seconded by Council Member Ralph Dawe. Council Member Ralph Dawe questioned if the cedar wood would be weather treated, advised yes. Upon a vote being taken all members voted aye.

CONSIDER RESOLUTION 2021-08-24: AWARD HVAC UNIT BID FOR REC-COM.

RESOLUTION 2021-08-24

WHEREAS, The City of Scottsboro, Alabama's Recreation Department is in need of a HVAC unit, 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, hand-delivered six (6) bids, and received two (2) bids for the HVAC unit.

Valley Heat & Air	6,500.00
Batey Brothers Heating & Cooling	10,531.00

Section 2. It is recommended by the Bid Review Committee that the bid be awarded to Valley Heat & Air as lowest responsible bidder that met specifications.

Adopted this the 23rd day of August, 2021.

Council President, C. Richard Bailey

City Clerk, Whitney Phillips

Council President Richard Bailey called for a motion to approve Resolution 2021-08-24 and budget amendment from excess sales tax for \$6,500. Motion was made by Council Member Mike Ashburn and seconded by Council Member Ralph Dawe. No discussion. Upon a vote being taken all members voted aye.

CONSIDER APPROPRIATION FOR ROLL-OFF CONTAINERS FOR SOLID WASTE DEPARTMENT.

Council President Richard Bailey called for a motion to approve appropriation for roll-off containers for the Solid Waste Department in the amount of \$100,000.00 from excess revenue from sanitation billing. Motion was made by Council Member Ralph Dawe and seconded by Council Member Nita Tolliver. No discussion. Upon a vote being taken all members voted aye.

CONSIDER AUTHORIZING TRANSFER OF FUNDS FROM CAPITAL IMPROVEMENT ACCOUNT TO THE PAVING ACCOUNT.

Council President Richard Bailey called for a motion to approve authorizing transfer of funds from capital improvement account to the paving account in the amount of \$29,000. 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.

REPORTS AND ANNOUNCEMENTS

Delegations- none

Mayor Jim McCamy – COVID-19 update, Main Street Scottsboro received 2 awards at the Main Street Conference.

Council Members Ralph Dawe – Thanked Josh Little for moving forward with ‘Welcome to Scottsboro’ entry signs.

Council Members Mike Ashburn – commented on next paving project.

Council Members Gary Stewart – commented on paving.

Council Members Nita Tolliver had nothing to report.

Council President Richard Bailey – announced August 31, 2021 Budget meeting at 4pm, no meeting August 30th, 2021 due to it being a 5th Monday or September 6th due to the Labor Day holiday. The next Work Session and Council meeting will be September 13th, 2021.

There being no further business to come before the Council at this time, Council President Richard Bailey called for a motion to adjourn. Motion was made by Council Member Gary Stewart and seconded by Council Member Ralph Dawe. Upon a vote being taken all members voted aye. Meeting adjourned at 5:12 pm.

Date Approved: September 13, 2021

CITY OF SCOTTSBORO

C. Richard Bailey, Council President

ATTEST:

Whitney Phillips, City Clerk

Jim McCamy, Mayor

ATTEST:

Whitney Phillips, City Clerk