

**MINUTES OF THE
SCOTTSBORO CITY COUNCIL
FEBRUARY 14, 2022**

The City Council of the City of Scottsboro, Alabama met on February 14, 2022 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 City Attorney Stephen Kennamer. 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 Nita Tolliver. No discussion. Upon vote being taken all voted aye. The Council President declared the agenda adopted.

A motion was made by Council Member Ralph Dawe and was seconded by Council Member Mike Ashburn to approve the Minutes of January 24, 2022. 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 2022-02-01: SURPLUS CITY
PROPERTY**

RESOLUTION 2022-02-01

WHEREAS, the City of Scottsboro, Alabama has certain 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 Council of Scottsboro, Alabama as follows:

Section 1. That the following real property owned by the City of Scottsboro, Alabama is not needed for public or municipal purposes:

301 N. Houston Street (map attached)

Section 2. That the Mayor, City Clerk, and City Attorney and they hereby are, authorized and directed to dispose of the property owned by the City of Scottsboro described in Section 1, above, by conveying to Scottsboro Boys & Girls Club.

Adopted and Approved this the 14th day of February, 2022.

Richard Bailey, Council President

Whitney Phillips, City Clerk

Council President Richard Bailey called for a motion to approve Resolution 2022-02-01. 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 RESOLUTION 2022-02-02: SURPLUS POLICE DEPARTMENT PROPERTY

RESOLUTION 2022-02-02

WHEREAS, the City of Scottsboro, Alabama’s Police Department has certain 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 Council 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:

<u>Asset #</u>	<u>Description</u>	<u>Serial Number</u>
118	2000 Ford Crown Victoria	2FAFP71W7YX197074
	2014 Ford F150 Pickup 4x4	1FTFW1EF4EFA48410

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 described in Section 1, above, by placing on Gov Deals. All money received from the sale shall be placed back into the Police Department Capital Outlay account.

Adopted and Approved this the 14th day of February, 2022.

C. Richard Bailey, Council President

Whitney Phillips, City Clerk

Council President Richard Bailey called for a motion to approve Resolution 2022-02-02. 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 RESOLUTION 2022-02-03: SURPLUS STREET
DEPARTMENT PROPERTY**

RESOLUTION 2022-02-03

WHEREAS, the City of Scottsboro, Alabama's Street Department has certain 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 Council 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:

<u>Asset #</u>	<u>Description</u>	<u>Serial Number</u>
3110	1995 Ford E350 Van	1FTEE14YXSHB48383
1393	2001 GMC Street Sweeper	J8DC4B14117003690
1446	1995 Ford 1 Ton Truck	1FDLF47G0SEA62408
1111	2001 Dodge 4x4 Pickup Truck	1B7HF16YX15673789
3907	Leaf Machine	00033783
1531	Ice Maker ICE0400HA2	C412-01121-Z
1476	Ice Maker EC500FAPB1	V917-04800-Z

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 described in Section 1, above, by placing on Gov Deals. All money received from the sale shall be placed back into the Street Department Capital Outlay account.

Adopted and Approved this the 14th day of February, 2022.

C. Richard Bailey, Council President

Whitney Phillips, City Clerk

Council President Richard Bailey called for a motion to approve Resolution 2022-02-03. Motion was made by Council Member Ralph Dawe and seconded by Council Member Gary Stewart. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER RESOLUTION 2022-02-04: FOR THE
TREATMENT OF THE STANDARD ALLOWANCE FOR
REVENUE REPLACEMENT FROM THE CITY'S ARPA
FUNDS**

RESOLUTION 2022-02-04

**RESOLUTION FOR TREATMENT OF THE STANDARD
ALLOWANCE FOR REVENUE REPLACEMENT FROM THE CITY'S
AMERICAN RESCUE PLAN ACT FISCAL RECOVERY FUNDS**

WHEREAS, the City of Scottsboro, Alabama (the "City") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are administered in accordance with state and federal law; and

WHEREAS, under the Final Rule published by the United States Department of Treasury ("Treasury") dated January 6, 2022, the City has the option either to elect a standard allowance of \$10,000,000 to be categorized as revenue replacement funds, or to perform calculations of revenue loss as provided in the Final Rule; and

WHEREAS, the Final Rule provides that the election is a one-time, irrevocable election that must be made for the period of performance of the ARPA funds award; and

WHEREAS, the election must be made in the next Project and Expenditure Report, which is due on April 30, 2022; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsboro, that the City elects the standard allowance for the purposes of calculating revenue loss for the City and shall direct the City's authorized reporting representative for ARPA funds to make a corresponding election in conjunction with the filing of the City's ARPA Project and Expenditure Report on or before April 30, 2022.

Adopted this 14th day of February, 2022.

C. Richard Bailey, Council President

ATTEST:

Whitney Phillips, City Clerk

Council President Richard Bailey called for a motion to approve Resolution 2022-02-04. 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 RESOLUTION 2022-02-05: AUTHORIZE
PREMIUM PAY TO ELIGIBLE ESSENTIAL WORKERS**

RESOLUTION 2022-02-05

**A RESOLUTION AUTHORIZING AND PROVIDING PREMIUM PAY TO
ELIGIBLE WORKERS UNDER THE PROVISIONS OF THE AMERICAN
RESCUE PLAN ACT (ARPA) AND AUTHORIZING THE MAYOR AND CITY
CLERK TO SUBMIT THE APPROPRIATE ANNUAL PROJECT AND
EXPENDITURE REPORT UNDER ARPA**

WHEREAS, the City of Scottsboro, Alabama was severely impacted and continues to be impacted by the Covid 19 Virus and its variants; and

WHEREAS, on March 11, 2021 the Federal Government enacted the American Rescue Plan Act of 2021; and

WHEREAS, pursuant to provisions of the ARPA, the Department of Treasury has issued rules regarding the implementation of the Corona Virus Local Fiscal Recovery Fund; and

WHEREAS, the Governor of the State of Alabama declared a State of Emergency from March 13, 2020 through July 6, 2021; and

WHEREAS, the Mayor, as Chief Executive Officer for the City of Scottsboro, has analyzed the job duties performed by City staff during the Covid emergency; and

WHEREAS, the Mayor has determined that all full-time employees of the City of Scottsboro and its Utility Boards employed at any point between March 13, 2020 to July 6, 2021 and have been continually employed or have retired during that period or since that period are all "eligible workers" as the term is defined by the Department of Treasury Regulations since

each of the full time employees of the City of Scottsboro and its Utility Boards employed between March 13, 2020 to July 6, 2021 were workers needed to maintain continuity of operations of essential critical infrastructure and were critical to protect the health and wellbeing of the residents of the City of Scottsboro in providing public safety, maintenance of essential critical infrastructure sectors, including drainage and roadways, health care, emergency response, sanitation, disinfection, clean-up work, assistance with activities of daily living for impacted populations within the City, social services and other vital services for the citizens during the pandemic; and

WHEREAS, it is the determination that the Scottsboro Electric Power Board and Scottsboro Water, Sewer, and Gas Board are entitled to a grant as provided by this Resolution; and

WHEREAS, the City Council is in agreement with this assessment and believes that providing appropriate “premium pay,” as the term is defined in the relevant Department of Treasury Regulations, as well as the American Rescue Plan Act of 2021 is a proper use of fiscal recovery funds; and

WHEREAS, it is the determination of the Mayor and City Council that the funds provided to the City of Scottsboro, as a non-entitlement unit, should be used in part to pay each full-time employee who was an employee of the City of Scottsboro at any point between March 13, 2020 to July 6, 2021 and have been continually employed or have retired during that period or since that period, a \$3,000.00 premium pay payment and employer related FICA payments for the premium pay; and

WHEREAS, it is the determination of the Mayor and City Council that the funds provided to the City of Scottsboro, as a non-entitlement unit, should be used in part to pay the Scottsboro Electric Power Board a one-time grant in the amount of \$114,000 (\$3,000 per each eligible employee) and Scottsboro Water, Sewer, and Gas Board a one-time grant in the amount of \$159,000 (\$3,000 per each eligible employee); and

WHEREAS, the Mayor and City Clerk are authorized to use fiscal recovery funds paid to the City of Scottsboro as a non-entitlement unit for the premium pay and employer related FICA payments; and

WHEREAS, the Mayor and City Clerk are authorized to use fiscal recovery funds paid to the City of Scottsboro as a non-entitlement unit for the Scottsboro Electric Power Board and Scottsboro Water, Sewer, and Gas Board one-time grants; and

WHEREAS, the Mayor and City Clerk are further authorized to submit appropriate project and expenditure reports reflecting said premium pay payments to employees to include related FICA employer payments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsboro, Alabama that all full-time employees of the City who were employed by the City of Scottsboro at any point between March 13, 2020 to July 6, 2021 and have been continually employed or have retired during that period or since that period shall receive a one-time premium pay payment in the amount of \$3,000.00. Said premium pay payments shall be reduced by Federal, State or local taxes to include appropriate judicial process, if applicable. Payments will be disbursed on March 3, 2022. The Mayor and City Clerk are authorized to remove the funds used to pay said premium pay payments, as well as employer related FICA expenses, from the Fiscal Recovery Funds appropriated to the City pursuant to the American Rescue Plan Act of 2021 and to submit the appropriate project and expenditure reports supporting said expenditures under the Act.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Scottsboro, Alabama, that the Scottsboro Electric Power Board shall receive a one-time grant in the amount of \$114,000 and Scottsboro Water, Sewer, and Gas Board shall receive a one-time grant in the amount of \$159,000. The Mayor and City Clerk are authorized to remove the funds used to pay said grants from the Fiscal Recovery Funds appropriated to the City pursuant to the American Rescue Plan Act of 2021 and to submit the appropriate project and expenditure reports supporting said expenditures under the Act.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Scottsboro, Alabama finds and determines that these premium payments are equivalent to the City’s one time pay raise situations. No other City boards other than those named herein shall receive premium pay.

ADOPTED this 14th day of February, 2022.

C. Richard Bailey, Council President

Attest:

Whitney Phillips, City Clerk

Council President Richard Bailey called for a motion to approve Resolution 2022-02-05. Motion was made by Council Member Nita Tolliver and seconded by Council Member Mike Ashburn. No discussion. Upon a vote being taken, Council Member Ralph Dawe abstained, all other members voted aye.

**CONSIDER RESOLUTION 2022-02-06: AWARD BID AND
CONTRACT FOR THE TRAFFIC SIGNAL INSTALLATION
ON HIGHWAY 72 AND SCOTTSBORO COMMONS**

RESOLUTION 2022-02-06

WHEREAS, The City of Scottsboro, Alabama is in need of a traffic signal on US Highway 72 at Scottsboro Commons, 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 received two (2) bids for the traffic signal installation at US Highway 72 at Scottsboro Commons.

Stone and Sons Electrical Contractors, Inc.	\$230,802.13
Stone Electrical Company, Inc.	\$268,863.75

Section 2. It is recommended by the Bid Review Committee that the bid be awarded to Stone and Sons Electrical Contractors, Inc. as the lowest responsible bidder that met specifications.

Adopted this the 14th day of February, 2022.

Council President, C. Richard Bailey

City Clerk, Whitney Phillips

Council President Richard Bailey called for a motion to approve Resolution 2022-02-06. Motion was made by Council Member Ralph Dawe and seconded by Council Member Gary Stewart. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER RESOLUTION 2022-02-07: AWARD BID AND
CONTRACT FOR THE TRAFFIC SIGNAL INSTALLATION
FOR SHOPS OF SCOTTSBORO**

CITY OF SCOTTSBORO

RESOLUTION #: 2022-02-07

WHEREAS, the City of Scottsboro has received a Community Development Block Grant Economic Development Grant for the purpose of extending sanitary sewer service and installing a traffic signal to serve the Shops of Scottsboro Development.

THEREFORE, in accordance with CDBG regulations the City of Scottsboro has solicited and received bids from qualified construction companies for the traffic signal phase of the above referenced project in accordance with the approved plans and specifications.

NOW, THEREFORE, be it resolved that the City of Scottsboro and their engineer have evaluated the bids received and have determined Stone Electrical Company is the low bidder on the traffic signal phase of this project; and

THAT, Jim McCamy, Mayor, be and is hereby authorized to award and enter a contract with Stone Electrical Company in the amount of \$311,366.53 to install a traffic signal to serve the Shops of Scottsboro Development.

READ AND ADOPTED this the 14th day of February 2021.

SIGNED FOR THE SCOTTSBORO CITY COUNCIL:

By: _____
Jim McCamy, Mayor

Attest:

Whitney Phillips, City Clerk

Council President Richard Bailey called for a motion to approve Resolution 2022-02-07. 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 REQUEST TO PROCEED WITH REZONING AT
1290 PORTER ROAD**

Council President Richard Bailey called for a motion to proceed with the request to rezone 1290 Porter Road. Motion was made by Council Mike Ashburn and seconded by Council Member Ralph Dawe. The Public Hearing will be Monday, February 28, 2022 at 5 pm. Upon a vote being taken all members voted aye.

**CONSIDER TOURISM GRANT APPLICATION FOR CASTIN
N CATCHIN**

Council President Richard Bailey called for a motion to approve the tourism grant application for \$5,000 for Castin N Catchin. 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 BUDGET AMENDMENT FOR REPAIRS FOR
THE SOLID WASTE DEPARTMENT**

Council President Richard Bailey called for a motion to approve a budget amendment from excess sales tax for \$33,361 to repair a compactor and dozier for the Solid Waste Department. Motion was made by Council Member Gary Stewart and seconded by Council Member Nita Tolliver. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER BUDGET AMENDMENT FOR REPAIRS FOR
THE VEHICLE MAINTENANCE DEPARTMENT**

Council President Richard Bailey called for a motion to approve a budget amendment from excess sales tax for \$7,472 to repair a heater and rollup door for the Vehicle Maintenance Department. Motion was made by Council Member Ralph Dawe and seconded by Council Member Mike Ashburn. No discussion. Upon a vote being taken all members voted aye.

**CONSIDER BUDGET AMENDMENT FOR OFFICE
REMODEL FOR THE BUILDING INSPECTION
DEPARTMENT**

Council President Richard Bailey called for a motion to approve a budget amendment from excess sales tax for \$8,175 for an office remodel for the Building Inspection Department for the new inspector. Motion was made by Council Member Nita Tolliver and seconded by Council Member Ralph Dawe. No discussion. Upon a vote being taken all members voted aye.

ANNOUNCE GOOSEPOND APPOINTMENT

Council President Richard Bailey announced they would vote again in the same order as last time.

Council President Bailey called for a roll call vote for Tony Wallingsford:

Council Member Ralph Dawe	No
Council Member Nita Tolliver	No
Council Member Mike Ashburn	Yes
Council Member Gary Stewart	Yes
Council Member Richard Bailey	No

Council President Bailey called for a roll call vote for Kevin Roney:

Council Member Ralph Dawe	Yes
Council Member Nita Tolliver	Yes
Council Member Mike Ashburn	Yes
Council Member Gary Stewart	Yes
Council Member Richard Bailey	Yes

Kevin Roney was appointed to the Goosepond Board.

REPORTS AND ANNOUNCEMENTS

Delegations- none

Mayor Jim McCamy thanked Council for approvals tonight.

Council Member Mike Ashburn commented that the new building inspector would need a vehicle.

Council Member Nita Tolliver encouraged everyone to come out and support the Scottsboro Basketball teams tonight! Go Cats!

Council Members Ralph Dawe and Gary Stewart had nothing to report.

Council President Richard Bailey wished everyone a Happy Valentine's Day!

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 Nita Tolliver. Upon a vote being taken all members voted aye. Meeting adjourned at 5:12 pm.

Date Approved: February 28, 2022

CITY OF SCOTTSBORO

C. Richard Bailey, Council President

ATTEST:

Whitney Phillips, City Clerk

Jim McCamy, Mayor

ATTEST:

Whitney Phillips, City Clerk