

**MINUTES OF THE
SCOTTSBORO CITY COUNCIL
MARCH 6, 2023**

The City Council of the City of Scottsboro, Alabama met in a Special-Called Council Meeting on March 6, 2023 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. 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:	Richard Bailey
	Council Members:	Ralph Dawe Nita Tolliver Donna Fredrick Mike Ashburn
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 Mike Ashburn and was seconded by Council Member Ralph Dawe. No discussion. Upon vote being taken all voted aye. The Council President declared the agenda adopted.

OLD BUSINESS:

NONE

NEW BUSINESS

CANVASS 2023 SPECIAL MUNICIPAL ELECTION

The President of the Council stated that this was the date fixed by law for the canvass of the returns of the special municipal tax election held in the City on February 28, 2023, which had been called by Ordinance No. 641, adopted on November 14, 2022. The Council, constituting a board of canvassers, thereupon proceeded to canvass the returns respecting the proposition submitted to the electors of the City at the said election, and upon completion of such canvass the following ordinance, together with the preambles thereto, was introduced in writing by Councilmember Richard Bailey:

ORDINANCE 648

AN ORDINANCE CANVASSING AND DECLARING THE RESULTS OF
A SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF
SCOTTSBORO, ALABAMA, ON TUESDAY, FEBRUARY 28, 2023,
REGARDING RENEWAL AND CONTINUATION OF A 7.5 MILL AD
VALOREM TAX FOR PUBLIC SCHOOL PURPOSES IN THE CITY OF
SCOTTSBORO

WHEREAS, at a meeting of the City Council ("the Council") of the City of Scottsboro ("the City") in the State of Alabama held on November 14, 2022, Ordinance No. 641 was duly adopted by the Council in which a special municipal election was called to be held in the City on February 28, 2023 (being the fourth Tuesday in the month of February), for the purpose of submitting to the qualified electors of the City to determine their will with respect to the following proposition:

Whether the City shall be authorized to renew and continue the annual levy and collection, commencing with the tax year for which taxes become due and payable on October 1, 2024, and continuing thereafter until and including the tax year for which taxes become due and payable on October 1, 2052, of a special ad valorem tax for public school purposes at the excess per annum rate of three quarters of one percent (or 7.5 mills) on each dollar of the assessed valuation of the taxable property in the City, which levy shall represent a renewal and continuation of the said tax and shall not operate to increase the rate of taxation for public school purposes now being levied in the City.

WHEREAS, notice of the said election was published in *The Sentinel*, a newspaper published and having general circulation in the City once a week for four consecutive weeks in the issues of the said

newspaper published on December 21 and 28, 2022, and January 4 and 11, 2023, in the form provided in the said ordinance, the first of the said dates of publication having been more than thirty days before the date of the said election, and having also been on or before the fourth Tuesday of the second month next preceding the month in which the said election was held;

WHEREAS, the said election was held in the City on February 28, 2023, in all respects as provided in the said notice between the hours of 7:00 o'clock, a.m., and 7:00 o'clock, p.m., being the legal hours provided by law for holding the said election, and the ballot used in the said election was in all respects in the form therefor set out in the said ordinance, and the officials who conducted the said election have duly made and duly filed with the Council their respective reports, returns, and certificates; and

WHEREAS, the Council is required by law to canvass the returns of the said election by the first Tuesday next after the said election, and declare the results thereof, and at a meeting of the Council held on March 6, 2023, the Council, acting as a board of canvassers, has duly canvassed the said returns and ascertained the results of the said election with respect to the said proposition;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Scottsboro, acting as a board of canvassers for the purpose of canvassing the results of the said election, as follows:

- (1) the recitations contained in the foregoing preambles are hereby found and declared to be true and are hereby adopted as a part of this ordinance;
- (2) the said election was duly called, notice thereof was duly given, and the said election was duly held and the ballots used thereat were in all respects as provided by law;
- (3) at the said election on the said proposition, the canvass of the returns indicated the following:

Polling District	Location of Voting Place	For Renewal of School Tax	Against Renewal of School Tax	Provisional Ballots
1	Scottsboro Rec-Com 701 South Houston Street Scottsboro, Alabama 35768	223	62	0
Absentee Balloting	Scottsboro City Hall 316 S Broad Street Scottsboro, Alabama 35768	1	0	0
TOTALS		<u>224</u>	<u>62</u>	<u>0</u>

- (4) at the said election on the said proposition a total of 286 votes were received and cast; of the said votes so received and cast 224 votes were received and cast **for** the renewal and continuation of the said special tax and 62 votes were received and cast **against** the renewal and continuation of the said special tax; that the number of votes received and cast in the said election in favor of the renewal and continuation of the said special tax **were greater than** the number of votes received and cast in the said election against the renewal and continuation of the said special tax; and that at the said election a majority of the qualified electors of the said City who voted thereat voted **for** of the renewal and continuation of the said special tax.

BE IT FURTHER ORDAINED, that this ordinance shall comprise the canvass and declaration by the Council of the results of the aforesaid election and shall be recorded in the minutes of the proceedings of the City and a certified copy of this ordinance shall be filed with (a) the office of the Judge of Probate of Jackson County, (b) the Secretary of State's office and (c) the Alabama League of Municipalities.

ADOPTED this 6th day of March, 2023.

PRESIDENT OF THE CITY COUNCIL OF THE
CITY OF SCOTTSBORO, ALABAMA

APPROVED this 6th day of March, 2023.

MAYOR OF THE CITY OF
SCOTTSBORO, ALABAMA

ATTEST:

City Clerk

[S E A L]

Councilmember Nita Tolliver moved that the rules be suspended and unanimous consent be given for immediate consideration of and action on the said ordinance, which motion was seconded by Councilmember Ralph Dawe and, upon the same being put to vote, the following vote was recorded:

Council Member Ralph Dawe	Yes
Council Member Nita Tolliver	Yes
Council Member Mike Ashburn	Yes
Council Member Donna Fredrick	Yes
Council Member Richard Bailey	Yes

The Mayor thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said ordinance had been unanimously carried. Councilmember Donna Fredrick thereupon moved that the foregoing ordinance be adopted, which motion was seconded by Councilmember Mike Ashburn and, upon the same being put to vote, the following vote was recorded:

Council Member Ralph Dawe	Yes
Council Member Nita Tolliver	Yes
Council Member Mike Ashburn	Yes
Council Member Donna Fredrick	Yes
Council Member Richard Bailey	Yes

The Mayor thereupon announced that the motion for the adoption of the said ordinance had been unanimously carried.

REPORTS AND ANNOUNCEMENTS

Delegations-none

Mayor McCamy gave an update on the Highway 72 and County Park Road project and the demo of the carwash for the Chick-Fil-A site.

Council Member Donna Fredrick thanked all of the departments for their response during the bad weather last week.

Council Member Mike Ashburn commented on being thankful to make the Chick-Fil-A announcement! Four years in the making!

Council Members Ralph Dawe and Nita Tolliver had nothing to report.

Council President Richard Bailey also commented it was great to see Chick-Fil-A begin.

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 Nita Tolliver and seconded by Council Member Ralph Dawe. Upon a vote being taken all members voted aye. Meeting adjourned at 5:15 pm.

Date Approved: March 13, 2023

CITY OF SCOTTSBORO

C. Richard Bailey, Council President

ATTEST:

Whitney Phillips, City Clerk

Jim McCamy, Mayor

ATTEST:

Whitney Phillips, City Clerk