

**MINUTES OF THE
SCOTTSBORO CITY COUNCIL
APRIL 9, 2018**

The City Council of the City of Scottsboro, Alabama met on April 9, 2018 at 6:04 p.m. in the Gail J. Duffey Auditorium of the Scottsboro City Hall.

The meeting was called to order by Council President Tony Wallingsford. Invocation was given by Council President Tony Wallingsford. The Pledge of Allegiance was led by Council Member Patrick Stewart. The roll was called by the City Clerk Whitney Phillips with the following results:

Present:	Council President:	Tony Wallingsford
	Council Members:	Jessica Butler Patrick Stewart Gary Stewart Keith Smith
Absent:		none

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

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

A motion was made by Council Member Gary Stewart and was seconded by Council Member Patrick Stewart to approve the Minutes of March 26, 2018. No Discussion. Upon a vote being taken all members voted aye. The Minutes were declared adopted by Council President Tony Wallingsford.

OLD BUSINESS:

NONE

NEW BUSINESS

NONE

**PUBLIC HEARING: ALCOHOL LICENSE: CELISA
BARCLAY D/B/A SAUCY'S**

An application for a Retail Beer & Wine (on & off premise) license from Celisa Barclay D/B/A Saucy's located at 3311 South Broad Street was presented to the Council by City Clerk Whitney Phillips.

Council President Tony Wallingsford 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. Celisa Barclay was present. Council President Tony Wallingsford closed the Public Hearing.

Council President Tony Wallingsford called for a motion to approve the alcohol license. Motion was made by Council Member Gary Stewart and seconded by Council Member Jessica Butler. 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 Celisa Barclay D/B/A Saucy's and finds and determines that a Retail Beer & Wine (on & off premise) license is hereby approved **on this the 9th day of April, 2018.**

**CONSIDER ORDINANCE 598 TO ADOPT NEW CODE FOR
THE CITY OF SCOTTSBORO**

ORDINANCE NO. 598

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF SCOTTSBORO, ALABAMA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCOTTSBORO, ALABAMA, as follows:

Section 1. The Code entitled "Code of Ordinances of the City of Scottsboro, Alabama," published by Municipal Code Corporation, consisting of chapters 1 through 36, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before December 18, 2017, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not exceeding \$500.00 or by imprisonment for a term not exceeding six months, or by any combination thereof. Except as otherwise provided by law or ordinance: (i) Violations of this Code that are continuous with respect to time are a public nuisance and may be abated by injunctive or other equitable relief and each day that the violation continues constitutes a separate offense; (ii) As to violations of this Code that are not continuous with respect to time, each act of violation constitutes a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the * to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after December 18, 2017, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective July 1, 2018.

ADOPTED AND APPROVED by the City Council of the City of Scottsboro on this the 9th day of April, 2018.

Council President, Tony Wallingsford

ATTEST:

City Clerk, Whitney Phillips

Council President Tony Wallingsford called for a motion to approve Ordinance 598. Motion was made by Council Member Keith Smith and seconded by Council Member Patrick Stewart. No Discussion. Upon a vote being taken all members voted aye.

**CONSIDER RESOLUTION 2018-04-12: SURPLUS GENERAL
& ADMINISTRATIVE PROPERTY**

RESOLUTION 2018-04-12

WHEREAS, the City of Scottsboro, Alabama has certain items of personal 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:

Asset ID 2587 2008 Mercury Grand Marquis	VIN# 2MEFM74V38X611858
Asset ID 2429 1999 Mercury Marquis	VIN# 2MEFM75W4XX644423

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 on Gov Deals. Any money received will go back in the General & Administrative department's capital outlay account.

Adopted and Approved this the 9th day of April, 2018.

Tony Wallingsford, Council President

Whitney Phillips, City Clerk

Council President Tony Wallingsford called for a motion to approve Resolution 2018-04-12. Motion was made by Council Member Gary Stewart and seconded by Council Member Jessica Butler. No Discussion. Upon a vote being taken all members voted aye.

**CONSIDER RESOLUTION 2018-04-13: APPLY TO MAIN
STREET PROGRAM**

RESOLUTION 2018-04-13

A RESOLUTION AUTHORIZING PARTICIPATION
IN THE MAIN STREET ALABAMA PROGRAM

WHEREAS, The Main Street Alabama Program has been established to assist cities to develop a public/private effort to revitalize their downtown or neighborhood commercial districts, and

WHEREAS, the City of Scottsboro agrees to participate in the Main Street Alabama Program,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCOTTSBORO:

SECTION 1: That the City of Scottsboro applies for selection to participate in the Main Street Alabama Program with the specific goal of revitalizing the downtown or neighborhood commercial districts within the context of the preservation and rehabilitation of its historic buildings.

SECTION 2: That the City of Scottsboro will support the goals of this local program if so selected.

SECTION 3: That the City of Scottsboro guarantees that a Main Street Project Manager with a travel and operating budget will be employed.

SECTION 4: That the City be designated to submit the application.

ADOPTED THIS 9th DAY OF APRIL, 2018

MAYOR

ATTEST:

CLERK OF COUNCIL

Council President Tony Wallingsford called for a motion to approve Resolution 2018-04-13. Motion was made by Council Member Patrick Stewart and seconded by Council Member Jessica Butler. No Discussion. Upon a vote being taken all members voted aye.

CONSIDER RESOLUTION 2018-04-14: 3-WAY STOP AT SOUTH & THOMAS STREETS

RESOLUTION 2018-04-14

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

1. The City Council of the City of Scottsboro does hereby find it is appropriate and in the best interest of the City to add a 3-way stop at the intersection of South Street and Thomas Street effective immediately.

RESOLVED this the 9th day of April, 2018.

President of City Council

ATTEST:

City Clerk

Council President Tony Wallingsford called for a motion to approve Resolution 2018-04-14. Motion was made by Council Member Patrick Stewart and seconded by Council Member Gary Stewart. No Discussion. Upon a vote being taken all members voted aye.

CONSIDER RESOLUTION 2018-04-15: ACCEPT WINDSOR WAY & LANEY DRIVE INTO THE CITY'S MAINTENANCE INVENTORY

RESOLUTION 2018-14-15

WHEREAS, the Scottsboro Planning Commission has recommended that the City Council of the City of Scottsboro, Alabama accept the access roads, Windsor Way and Laney Drive, into the City's maintenance inventory.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Scottsboro, Alabama that the City does hereby accept Windsor Way and Laney Drive in the City's maintenance inventory.

DULY RESOLVED this 9th day of April, 2018.

President of City Council

ATTEST:

CITY CLERK

Council President Tony Wallingsford called for a motion to approve Resolution 2018-04-15. Motion was made by Council Member Patrick Stewart and seconded by Council Member Gary Stewart. No Discussion. Upon a vote being taken all members voted aye.

CONSIDER RESOLUTION 2018-04-16: REQUEST PLANNING COMMISSION TO ADD "GRANDFATHERING" CLAUSE TO EXISTING CODE

RESOLUTION 2018-14-16

WHEREAS, the City Council of the City of Scottsboro, Alabama recognizes the need for affordable housing, and;

WHEREAS, there is a perception that existing code and requirements have prevented the expansion of middle income housing;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Scottsboro, Alabama that the City does hereby request that the Scottsboro Planning Commission study whether a "grandfathered property" clause to the existing code and the extension of the requirements under Section 11-2 from 6 months to a reasonable time period be placed in the Code.

DULY RESOLVED this 9th day of April, 2018.

President of City Council

ATTEST:

CITY CLERK

Council President Tony Wallingsford called for a motion to approve Resolution 2018-04-16. Motion was made by Council Member Patrick Stewart and seconded by Council Member Keith Smith. No Discussion. Upon a vote being taken all members voted aye.

**CONSIDER APPROVAL OF BID FOR FRONTAGE ROAD
ALONG US 72 PHASE II**

Council President Tony Wallingsford called for a motion to approve the Frontage Road along US 72 Phase II bid to Wiregrass Construction for \$769,760.85. Motion was made by Council Member Patrick Stewart and seconded by Council Member Jessica Butler. No Discussion. A roll call vote was taken with the following results:

Council Member Jessica Butler	Yes
Council Member Patrick Stewart	Yes
Council Member Gary Stewart	Yes
Council Member Keith Smith	Yes
Council Member Tony Wallingsford	Yes

Motion carried.

**CONSIDER APPROVAL OF BID FOR DOWNTOWN
STREETSCAPE PHASE II**

Council President Tony Wallingsford called for a motion to approve the Downtown Streetscape Phase II bid to Lambert Contracting for \$334,156.52. Motion was made by Council Member Gary Stewart and Council Member Patrick Stewart. Little discussion. Upon a vote being taken all members voted aye.

**CONSIDER BUDGET AMENDMENT FOR \$4,800 FOR
VEGETATION CONTROL AT THE SCOTTSBORO
MUNICIPAL AIRPORT**

Council President Tony Wallingsford called for a motion to approve a budget amendment for \$4,800 for vegetation control at the Scottsboro Municipal Airport. Motion was made by Council Member Keith Smith and seconded by Council Member Jessica Butler. No discussion. Upon a vote being taken all members voted aye.

REPORTS AND ANNOUNCEMENTS

Delegations-George Lewis gave remarks on running for Sheriff.

Mayor Robin Shelton had nothing to report.

Council Member Keith Smith commended the Scottsboro Fire Department, Scottsboro Police Department, and Highlands Ambulance Service for everything they did to try to save his family members in a recent fire.

Council Members Jessica Butler, Patrick Stewart & Gary Stewart had nothing to report.

Council President Tony Wallingsford commented on the groundbreaking for the Google data center in Bridgeport. A big day for Jackson County!

There being no further business to come before the Council at this time, Council President Tony Wallingsford called for a motion to adjourn. Motion was made by Council Member Gary Stewart and seconded by Council Member Jessica Butler. Meeting adjourned at 6:21 pm.

Date Approved: April 23, 2018

CITY OF SCOTTSBORO

Tony Wallingsford, Council President

Attest:

Whitney Phillips, City Clerk

Robin Shelton, Mayor

SEAL
ATTEST:

Whitney Phillips, City Clerk