

**MINUTES OF THE
SELMA CITY COUNCIL
FEBRUARY 11, 2008
5:00 P.M.**

Call to Order

Invocation: Reverend Daniel Martin
Pastor, Bethel Church

Moment of Silence

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, February 11, 2008 at 5:00 p.m.

ROLL CALL

The following members were present during roll call: Council President George Evans and Council members Cecil Williamson, Jean T. Martin, Geraldine Allen, Johnnie M. Leashore, Bennie R. Crenshaw and Jannie M. Venter. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Darlene Rudolph. Councilman Cain was absent during roll call, however he arrived shortly following roll call.

Presentations:

Mrs. Malieve W. Breeding-Former Selma Community Pride Chairperson
Dr. Park Chittom-First Baptist Church Cookie Day

PUBLIC HEARINGS:

Rezoning Ordinance #O104-07/08 – 625 Medical Center Parkway

Following reconvened discussion, a motion was made by Councilman Cain and seconded by Councilwoman Martin to affirm the recommendation from the Planning Board to rezone said property from R60 to B2 and to approve said ordinance. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were five affirmative votes, three nay votes and one abstention. Councilman Leashore, Councilwoman Crenshaw and Councilwoman Venter each cast a nay vote. Councilwoman Allen abstained from voting.**

Rezoning Ordinance #O106-07/08 – West Dallas Avenue – R60 to B2

Following a brief discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Venter to continue discussion on this item until the next Council meeting to obtain additional information. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one abstention. Councilwoman Crenshaw abstained from voting.**

APPROVAL OF AGENDA

President Evans asked for the approval of the agenda items. A motion was made by Councilman Randolph and seconded by Councilwoman Allen and Councilman Cain to approve the agenda with the deletion of items #5, #18, #19, #22 and #25. **The motion carried with a majority (show of hands) vote of the Council. There were eight affirmative votes and one oppose. Councilman Leashore opposed.**

APPROVAL OF MINUTES

After approval of the agenda, President Evans asked for a motion to approve the minutes of the January 28, 2008 Regular meeting. Following a brief discussion, a motion was made by Councilwoman Venter and seconded by Councilman Randolph to approve the minutes of January 28, 2008 with corrections. **The motion carried with a unanimous (show of hands) vote of the Council.**

CITIZENS' REQUESTS

Mrs. Abina Billups
Re: Bridge Crossing Jubilee

Attorney Faya Rose Toure'
Re: Community Improvements

CITIZENS' REQUESTS

Ms. Susan Hunter
Re: Hollman's Case

MAYOR'S REPORT

A. **Proclamation-40 Days Nonviolence.** Mayor Perkins read the said proclamation in its entirety. Mayor Perkins stated this proclamation would be in effect from March 4, 2008 through May 14, 2008. Following discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Martin to approve the said proclamation. **The motion carried with a majority (show of hands) vote of the Council. There were seven affirmative votes and two abstentions. Councilman Cain and Councilman Williamson abstained from voting.**

B. **Resolution #R166-07/08-HWY 80 Maintenance Project.** Mayor Perkins asked Ms. Charlotte Griffeth to come forward. Ms. Griffeth addressed the Council and read Resolution #166-07/08, in its entirety, and asked the Council favorable consideration of said resolution, in the amount of \$5,745.00 allocated in the approved 07/08 budget line item Grant Matching Funds (1.7000.7300.29). A motion was made by Councilwoman Martin and seconded by Councilman Randolph and Councilwoman Venter to approve the said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

C. **Khafra - Work Letter of Agreement- Lovelady Building.** Mayor Perkins asked Ms. Charlotte Griffeth to come forward. Ms. Griffeth addressed the Council for approval of the said work letter of agreement with Khafra Engineering for Professional Services in the amount of \$3,000.00 for the purpose of architectural floor plan features of the Lovelady Building. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to approve the said agreement. **A roll call vote was taken and the motion passed with a majority vote of the Council.**

CITY ATTORNEY'S REPORT

A. **Resolution #R170-07/08 - Appointment of Election Officials.** Attorney Nunn stated that a Special Election is being called by the City Council on February 26, 2008. Attorney Nunn stated as per said resolution and stated that today is the last day for the approval of these appointments. Councilman Williamson stated he would like to change some names of officials in his ward; President Evans asked that other Council members look over their lists as well, that he recalls some years ago, and some names were "scratched" and "added" to the lists. President Evans stated that he suggests that each Council member look at their wards and if there is someone who would like to add to the list, that lives within their wards, which is the rule, in order to serve. Councilman Williamson concurred. President Evans stated he called the "League" today, and he was told "point blank", that between "wards" one through five, they officials have to live in the wards, and "wards" six, seven, and eight or larger, they can be "at-large." Ms. Williams was asked if there was any particular problem or handicap the caused this information not to be before the Council tonight? Ms. Williams stated "no", but she had no idea that any of the Council would oppose it, because these are the same names that were always used. President Evans stated that at the tentative work session on Thursday, the names were available for the Council members if they were in attendance. Following further discussion, a motion was made by Councilman Leashore and seconded by Councilman Crenshaw to approve the said resolution with amended changes. **A roll call was taken and the motion passed with a unanimous vote of the Council.**

B. **Resolution #R167-07/08 - St. James Hotel Roof Repairs.** Attorney Nunn stated that the City Clerk has complied with bid law where the City of Selma has invited and accepted bids for the St. James Hotel Roof Repairs, per said resolution; Steward Construction was the lowest responsible bidder in the amount of \$33,638.00 allocated in the St. James Project Community Reinvestment Account #19.6000.828.0. A motion was made by Councilman Leashore and seconded by Councilwoman Martin and Councilwoman Crenshaw to approve the said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

C. **Resolution #R168-07/08 - Concession Rights for the Softball/Baseball Complex-2008 Season.** Attorney Nunn stated that the City of Selma has invited and accepted bids for the Concession Rights, per said resolution; Massey Concession was the lowest responsible bidder in the amount of \$6,151.00. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to approve the said resolution. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one abstention. Councilman Leashore abstained from voting.**

D. **Alcoholic Beverage License-Warren's-Wanda Bush-1122 Water Avenue.** Attorney Nunn stated that this license was placed on first reading at the last Council Meeting. A motion was made by Councilwoman Martin and seconded by Councilman Randolph to approve the said liquor license. A

CITY ATTORNEY'S REPORT

roll call vote was taken and the motion was passed with a majority vote of the Council. There were seven affirmative votes and two abstentions. Councilman Williamson and Councilwoman Venter abstained from voting.

E. **Alcoholic Beverage License-Edwards BP-David Edwards-209 Medical Center Parkway.** Attorney Nunn stated that the City Council is asked to place this liquor license on first reading at this time. A motion was made by Councilman Leashore and seconded by Councilman Randolph to place the said liquor license on first reading. **The motion carried with a unanimous (show of hands) vote of the Council.**

F. **Resolution #R171-07/08 -Demolition of Property Located at 419 Lamar Avenue .** Attorney Nunn stated that the Council has been given a copy of Resolution #R171-07/08 for the demolition of 419 Lamar Avenue. A motion was made by Councilman Leashore and seconded by Councilwoman Allen to approve the said resolution. **The motion carried with a unanimous (show of hands) vote of the Council.**

G. **Statement - Reimbursement to Alabama Municipal Insurance Company.** Attorney Nunn stated that the Council has been given a copy of a statement from the Alabama Municipal Insurance Company as it relates to reimbursement of deductibles in the amount of \$6,588.37, for claims that have been brought before the insurance company for review. A motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore to approve the said reimbursement. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

H. **Reimbursement to Attorney Alston Keith.** Attorney Nunn stated that this item is dealing with the City Prosecutor, Attorney Alston Keith, who is paid in the amount of \$12,000.00 per year, which calculates to \$250.00 per court session every Tuesday. Attorney Nunn stated that Attorney Keith visited his office as it relates to the Hollman's case, that time has been set outside of that Tuesday schedule that he has had to spend another day or two "trying" a case outside of that realm. Following a brief discussion, a motion was made by Councilwoman Martin and seconded by Councilman Leashore to approve the one time reimbursement of \$75.00 per hour for the additional time he spent on this case. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

I. **Donnie Roy's Nite Spot Revocation of Business License and Closing.** Following a brief discussion, it was noted that Mr. And Mrs. Stewart had to leave; Councilman Leashore stated that if the Council will give them until the next meeting to response, he would suggest having them come before the mayor's and the attorney's reports, giving them an opportunity to say whether they would be able to meet the requirements of the Council. President Evans concurred.

J. **Ordinance #O123-06/07 - Amending Section 33 - Ordinance #O102-04/05.** Attorney Nunn asked if President Evans wanted to mention this ordinance at a later time, as it relates to the procedures? Attorney stated that this is an old number. President Evans stated that it has been placed on first reading and the Council would need to go ahead and approve "one way or the other." A motion was made by Councilman Cain and seconded by Councilwoman Allen to approve the said ordinance. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were five affirmative votes and three nay votes and one abstention. Councilman Leashore cast a nay vote stating that "this is not enforceable, this is vindictive in nature, this is something that should never even be in place." Councilman Randolph and Councilwoman Crenshaw also cast a nay vote. Councilwoman Venter abstained from voting.**

BUSINESS ITEMS:

I. **IMPLEMENTING POLICE ASSESSMENT RECOMMENDATIONS**

Councilman Williamson stated that as far "as he knows none of these have been implemented yet and maybe the first one is getting a new police chief." During discussion, Councilwoman Allen stated that as "Chair" of the Public Safety Committee, she really feels that the Council needs to let the Chief come in first, review the police assessment report, and she feels sure that he will get with the Safety Committee and before the Council. Councilwoman Allen further stated that it was very evident that during his interview process, that he had read it thoroughly and made comments that he was very concerned about it." The Council concurred.

II. **PROCESS FOR USING DISCRETIONARY TO PROMOTE THE BOND ELECTION**

Councilman Williamson stated that he asked this, because he does not want to wrongly spend the money. He stated: Example: "I want to put an ad in the TimesJournal, how do I go about using my discretionary fund to do that?" Ms. Cynthia Mitchell stated that he should find out how much it would

BUSINESS ITEMS:

cost and provide a bill, but no purchase order is required for articles placed in the paper, and charge it to the City.

III. GOOD SAMARITAN LEASE

Councilman Cain stated that he would like to ask that this item could remain on the agenda until the Council receives further information regarding the updated lease agreements.

IV. DRUG TASK FORCE ALLOCATION (How Much?)

President Evans stated that the Council is seeking clarification whether allocation was made for \$10,000.00 or \$15,000.00, to the Drug Tack Force? President Evans stated that \$5,000.00 has already been paid and a ruling from the Council is needed. During discussion, a motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore and Councilwoman Allen to allocate \$5,000.00 more, a total of \$10,000.00 to the Drug Task Force, and to authorize Ms. Mitchell to research the budget to locate the funds without a timetable. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

V. CIVILIAN EMPLOYEES' PATROLLING

Councilman Williamson stated that he was asked to ask if we have civilian employees, specifically the evidence technician and maybe the jailer, two ladies, patrolling on a twelve-hour shift with weapons? President Evans stated that they would try to find out. Councilman Williamson stated he would ask the Mayor.

VI. OIL LEASE MONEY

Councilwoman Martin stated that there was a rather large amount of her money taken and she will get with Ms. Mitchell to find out what she can do to find out what it was used for.

VII. INFORMATION GIVEN BEFORE COUNCIL MEETINGS

Councilman Cain stated due to the lengthy meetings and lack of information, he would like to make a motion, seconded by Councilman Williamson, that from this point on, anyone who addresses this Council, citizens, Mayor, Attorney or Clerk, would provide the information in the Council members boxes Thursday, 12 Noon prior to the Council meetings. During discussion, an amended motion was made by Councilman Randolph and seconded by Councilman Leashore to exempt the mayor and the attorney from this ruling. **A roll call vote was taken and the motion failed for lack of a majority vote of the Council. Councilman Randolph, Councilman Leashore, Councilwoman Crenshaw and Councilwoman Venter voted affirmative on this motion. A roll call vote was then taken and the motion passed with a majority vote of the Council. There were five affirmative votes and four nay votes. Councilman Randolph, Councilman Leashore, Councilwoman Crenshaw and Councilwoman Venter each cast a nay vote.**

VIII. SELMA WATER AND SEWER BOARD INJUNCTION

Councilman Cain stated the Council still does not have an update on this item and he would like it to remain on the agenda until the Council gets an answer.

Councilman Leashore was absent from the Chambers at 10:06 p.m.
Councilwoman Crenshaw was absent from the Chambers at 10:06 p.m.

IX. 2007 AUDIT REPORT

Councilman Williamson and Councilman Cain stated they are asking when the Council would receive the report?

X. UPCOMING MEETINGS

President Evans stated that there is a reception on tomorrow for Brownsfield at the St. James Hotel at 5:00 p.m. and at 9:00 a.m.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE – Councilman Cain, Chairperson

Councilman Cain stated that the committee would meet this week to discuss the upcoming spring sports schedule and the renovations, schematics and designs for Memorial Stadium.

ADMINISTRATIVE COMMITTEE – Councilman Dr. Cecil Williamson, Chairperson

Councilman Williamson stated that they plan to meet Wednesday.

PUBLIC SAFETY COMMITTEE – Councilwoman Dr. Geraldine Allen, Chairperson

Councilwoman Allen stated that she would like to ask the members to meet regarding a letter as it relates to the possibility of purchasing automatic external defibrillators.

COMMUNITY DEVELOPMENT COMMITTEE – Councilwoman Bennie Ruth Crenshaw, Chairperson

No Report.

PUBLIC WORKS COMMITTEE – Councilwoman Venter, Chairperson

Councilwoman Venter stated that regarding the letter from Councilwoman Allen, Mr. Hicks stated that he has met with the citizens and some problems have been resolved and some are still pending.

DISCRETIONARY FUNDS COMMITTEE – President Evans, Chairperson

President Evans stated that he would get the total to the Council later for how much was collected from Council discretionary.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

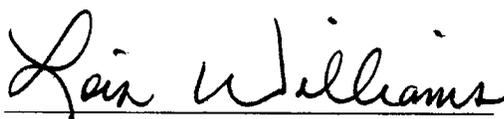
ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilwoman Venter and seconded by Councilwoman Allen, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 10:30 p.m.



GEORGE P. EVANS, *Council President*

ATTEST:



LOIS WILLIAMS, *City Clerk*

APPROVED:



JAMES PERKINS, JR., *Mayor*