

MINUTES OF THE SELMA CITY COUNCIL
JUNE 11, 2007
5:00 P.M.

Call to Order

Invocation: Reverend Michael Brown, Associate Minister
Grace Fellowship Baptist Church

Pledge of Allegiance

Roll Call

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday June 11, 2007 at 5:00 p.m. with the following members present during roll call: Council President George Evans and Council members Cecil Williamson, Reid Cain, Jean T. Martin, Geraldine Allen, Johnnie M. Leashore and Jannie M. Venter. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, Assistant City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, Mayor's Executive Assistant Darlene Rudolph and City Treasurer Cynthia Mitchell. Councilman Randolph was absent during roll call. Councilman Randolph arrived at 5:58 p.m.

APPROVAL OF AGENDA:

President Evans asked for the approval of the agenda items. A motion was made by Councilwoman Martin and seconded by Councilwoman Allen to approve the agenda with deletion of Item VIII. **The motion carried with a majority (show of hands) vote of the Council members present. There were seven ayes and one abstention. Councilwoman Crenshaw abstained from voting.**

APPROVAL OF MINUTES:

After approval of the agenda, President Evans asked for a motion to approve the minutes of the May 29, 2007 regular meeting. A motion was made by Councilwoman Martin and seconded by Councilwoman Venter to approve the minutes as written. **The motion carried with a majority (show of hands) vote of the Council members present. There were seven ayes and one abstention. Councilman Leashore abstained from voting.**

CITIZENS' REQUESTS

Attorney Faya Rose Toure'

Re: Proposed City Ordinance to Address Critical Problems in the Police Department and Municipal Court

Mr. Jimmy Coleman and Mr. Mike Smith

Re: Selma's Summer Fest

MAYOR'S REPORT

A. Water Conservation Schedule. Mayor Perkins stated due to the lack of rain, they are trying to take some proactive measures in conserving so that we will not run out of water. Mayor Perkins further stated they have prescribed some days of the week for watering and irrigation with restrictions on outdoor use of water. Mayor Perkins stated they are recommending the following watering time-schedule, between the hours of 8:00 p.m. and 8:00 a.m. on: Mondays - Customers South of Highway 80/Highland Avenue and West of Summerfield Road/Lapsley Street; Customers North of Highway 80/Highland Avenue and East of Summerfield Road; Tuesdays - Customers North of Highway 80/Highland Avenue and West of Summerfield Road; Customers South of Highway 80/Highland Avenue and East of Summerfield Road/Lapsley Street; Wednesday - No Use of Water - Outside; Thursday - Customers South of Highway 80/Highland Avenue and West of Summerfield Road/Lapsley Street; Customers North of Highway 80/Highland Avenue and East of Summerfield Road; and Friday - Customers North of Highway 80/Highland Avenue and West of Summerfield Road; Customers South of Highway 80/Highland Avenue and East of Summerfield Road/Lapsley Street; Saturday and Sunday - No Use of Outside Water. Mayor Perkins stated the Water & Sewer Board has on file an emergency water conservation plan, and it does prescribe a series of penalties and enforcement options for people who do not comply. Mayor Perkins further stated they are hoping that people will comply in an effort to conserve, and that this schedule will be short-lived.

B. Resolution #R200-06/07 - The Housing Preservation Grant (HPG) Program. Mayor Perkins stated he would like to ask Ms. Charlotte Griffeth to come forward and address the Council. Ms. Griffeth addressed the Council as per Resolution #R200-06/07. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to approve said resolution, whereby the City of Selma pledges to provide a 12% cash match in the amount of \$50,000.00 in the FY 07-08 budget via line item Grant Matching Funds in the Planning & Development's Budget. A

roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

C. Resolution #R201-06/07 - National Call to Action for Affordable Housing Through Regulatory Reform. Ms. Griffeth addressed the Council as per Resolution #R201-06/07. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to approve said resolution, whereby the City of Selma will create a task force to review its laws and regulations with the goal of reporting back to the City Council within one year from the date of this resolution with recommendations for changes in the regulatory framework that will help produce more affordable housing for Selma's workforce. **The motion carried with a majority (show of hands) vote of the Council members present. There were seven ayes and one nay vote. Councilman Cain cast a nay vote.**

D. Employee Requests for Salary Increases. Mayor Perkins stated to Council that they were presented a spreadsheet at Thursday's Work Session with thirteen names, and since that time they have gotten an additional ten. Mayor Perkins further stated to Council that he will be coming forward with a series of resolutions, one per employee, asking the Council to vote up or down, the pay increase requests from the employees and/or their departments. Mayor Perkins stated prior to the next Work Session the Council will receive packets with the resolutions in it. Mayor Perkins further stated he will go on record in this meeting, stating his formal and final position as to his recommendation to Council on this, and his recommendation is "simply, that whatever the individual Council member's position was on the vote for the Council Secretary, his recommendation would be that the individual Council members would take the same consistent position with the other employees".

E. Resolution - #R199-06/07 Repair of Old Live Oak Cemetary - Wall. Mayor Perkins asked Ms. Cynthia Mitchell to come forward to address the Council. Ms. Mitchell addressed the Council as per resolution #R199-06/07. Mayor Perkins stated, for the record, "that there are ongoing conversations with the Alabama Department of Transportation (ALDOT) about traffic control mechanisms that would go up in that area, that helps to reduce the speed and manage the traffic flow, in the area, near and around the cemetery wall. Mayor Perkins further stated that it is apparent to the Alabama Department of Transportation (ALDOT) and the City of Selma, that something has to happen there to better manage that situation. Mayor Perkins stated he wanted the citizens and the Council to know that that is a state highway, and that the City does not have authorization to put up any traffic management signals or signs without the State's authorization, but that we will be working with the State to try and get it done". A motion was made by Councilwoman Martin, and seconded by Councilman Leashore, to approve said resolution, which authorizes funds to repair the Old Live Oak Cemetery Wall, in the amount of \$8,325.00, to repair the Old Live Oak Cemetery Wall. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

F. Sickle Cell Utilization of Office Space in Good Samaritan Building. Mayor Perkins stated that there are still on-going efforts to set up a meeting (as of Thursday's Work Session).

G. Combination of Agenda Item #s III, IV and V. Mayor Perkins stated during Thursday's Work Session, he had polled Council members about the possibility of combining Items III, IV and V, i.e. the unpaid garbage fees and unpaid court fines, and putting all of that in the environmental court strategy. Mayor Perkins further stated there has really been some difficulty in identifying a collection agency to collect \$12/month fees, and it takes them just as much time to collect \$12 as it does \$1,200. Mayor Perkins stated the City Attorney has prepared a draft resolution and will be presenting during his report.

H. E-911 Tower - Update. Mayor Perkins stated Probate Judge Kim Ballard and he have met, along with Commissioner Cornell Towns. Mayor Perkins further stated Chief Allen and Chief Martin worked up a series of numbers which coincide with the estimates that have been provided by the Council, as to what it would take to co-locate the antennas that are on the tower, on the Public Safety Building, with the antenna that is presently located at the Courthouse parking lot. Mayor Perkins stated it was a very productive meeting, and they are moving forward with those discussions, and should have something ready very shortly.

I. Hiring Freeze. Mayor Perkins stated the hiring freeze is still in effect, and it is executed on a case-by-case basis. Mayor Perkins further stated they are releasing some of the freezes now, one in the Finance Department, and several in the Public Works Department, and selections will be made in the not-too-distant future.

J. Bell Road Traffic - Update. Mayor Perkins stated the Police Department, Traffic Division, in collaboration with Public Works, have erected three stop signs in that area, and since that has been done there have been no more complaints. Mayor Perkins further stated as traffic picks up again, during "school time", they will take a look at it again, but hopefully it would be more manageable.

K. Abandoned Cars - (Parked on Grass and Sidewalk). In response to Councilman Williamson's question about what happens once the list is turned into the Mayor's office, Mayor Perkins stated once his office receives information on abandoned cars, it then goes to Code Enforcement or the Fire Inspector, depending on the circumstances.

L. St. James Hotel - Update. Mayor Perkins stated this issue is ongoing, and that the attorneys are working out the details of the agreement that will come back to Council. Mayor Perkins further stated the City Attorney will make a report on this tonight as well.

M. PALS' - Trip to Kansas City, MO. Mayor Perkins asked Chief Martin, Sgt. King, and Officer Cowan to come forward, and present to the Council the young men present with them on this evening. On behalf of PALS, Sgt. King, as Supervisor of PALS, and Officer Cowan addressed the Council and requested of Council to consider a donation to the PALS organization to assist in sponsoring a trip to take ten young men on a PALS trip to Kansas City, MO on June 25 - 29, to participate in a "competition". Sgt. King stated the cost of the trip is approximately \$7,000, of which they have collected about \$4000 already, but stated whatever the Council can give will be greatly appreciated. President Evans stated \$1550 has been collected from Discretionary Funds. During discussion, a motion was made by Councilman Leashore, and seconded by Councilwoman Martin, to authorize Mayor Perkins and Ms. Cynthia Mitchell to use unappropriated funds for the additional \$1450. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

CITY ATTORNEY'S REPORT

A. Resolution #R196-06/07 - Condemned Houses - Bid. Attorney Nunn stated Resolution #R196-06/07 represents a bid proposal on nine houses that have been condemned and asks Council favorable consideration of the same. A motion was made by Councilman Leashore, and seconded by Councilwoman Venter, to approve said Resolution #R196-06/07. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

B. Ordinance #O118-06/07 - Abatement of Weeds in the City of Selma. Attorney Nunn stated this is an ordinance providing for abatement of weeds in the City of Selma, as it relates to a law that came out last year with regard to weeds within municipalities. Attorney Nunn further stated he is revising the Selma City Code so that it will reflect the same as State law. Attorney Nunn asks Council favorable consideration to place said Ordinance #O118-06/07 on 1st Reading, in order to review and advise him as to any changes and/or revisions that need to be made; if there are no changes, then he will ask for approval of the same at the next Council meeting. A motion was made by Councilwoman Martin, and seconded by Councilman Leashore, to approve placing Ordinance #O118-06/07 on 1st Reading. The motion carried with a unanimous show of hands) vote of the Council

C. Ordinance #O120-06/07 - Heritage Village - Conveyance. Attorney Nunn stated to Council if they recall during the last Council meeting a vote was taken on this to proceed with this transaction to convey the property to the Historic Preservation Society. Attorney Nunn stated the Ordinance has been prepared in the form of #O120-06/07 and he asks Council favorable consideration to approve to place on 1st Reading or Suspend the Rules. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to suspend the rules on Ordinance #O120-06/07, and vote on tonight. A roll call vote was taken and the motion passed with a unanimous vote of the Council. A motion was then made by Councilwoman Martin, and seconded by Councilman Randolph, to approve said Ordinance #O120-06/07. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

D. Resolution #R198-06/07 - St. James Hotel - Termination of Lease Agreement. Attorney Nunn stated Council should have before them Resolution #R196-06/07 which represents the St. James Hotel and Termination of Lease Agreement between the City of Selma and St. James Investors Group. A motion was made by Councilman Cain, and seconded by Councilwoman Martin, to vote on Resolution #R198-06/07. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

E. Resolution #R197-06/07 - James Walker - Retirement and Possession of Weapon and Badge. Attorney Nunn stated Resolution #R197-06/07 represents Officer James Walker who

served as an officer of the Selma Police Department for 25 years, and that he retired, in good standing, on April 1, 2002. Attorney Nunn further stated Officer Walker desires to retire his weapon, and retain possession of his weapon and badge upon his retirement, and asks Council to take some action on this matter. A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve said Resolution #R197/06/07. The motion carried with a unanimous show of hands) vote of the Council.

F. Liquor License Applications. Attorney Nunn stated the following liquor license applications are asked to be approved to be placed on 1st Reading by the Council:

(1) Roc, LLC (Cheers) [Transfer] 1105 Broad Street - Mr. Rodney Hardy. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Martin, to place the said liquor license on 1st Reading. The motion passed with a unanimous (show of hands) of the Council.

(2) Billingsley Bar & Grill, LLC (Murphy's) [Transfer] 2519 Highway 14, Mr. Michael Moore. A motion was made by Councilwoman Martin, and seconded by Councilman Leashore, to place the said liquor license on 1st Reading. The motion passed with a unanimous (show of hands) of the Council.

(3) Brother's Convenient Store (Franks Cougar) 906 Washington Street - Mr. Bobby Wilkerson. A motion was made by Councilwoman Martin, and seconded by Councilman Leashore, to place the said liquor license on 1st Reading. The motion passed with a unanimous (show of hands) of the Council.

G. Off-Duty Police Officer Staffing - Contract - City of Selma and Wal-Mart. Attorney Nunn stated the Off-Duty Police Officer Staffing - Contract was discussed at Thursday's Work Session, and per request of the Council, he placed copies of the same in the Council's mailboxes. During discussion, Councilwoman Allen asked Attorney Nunn if she could receive for informational purposes, the information on liability of officers that are off-duty. Attorney Nunn stated he would provide the information. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve said Contract. During further discussion, Councilman Cain stated, for the record, "Mr. President, this sets a bad precedence when we start allowing companies to pay police officers to go off-duty when they could be patrolling our areas throughout parts of the City - and, I do have a question, Mr. President - if an officer is, for example, working from 8 until 5 during the day and then he goes and works from 6-12, does he come back to work for the City from 8 until 5? - I wish we could postpone this until we can get some of these questions answered, Mr. President." Attorney Nunn stated to President Evans and the Council that that portion of the contract that Councilman Cain just questioned is in the process of being revised. Attorney Nunn further stated this contract can be monitored, and then be brought back before the Council and voided, if that is what the Council wants to do; if it is determined that it is not working. Following discussion, a roll call vote was taken and the motion passed with a majority vote of the Council. There were seven ayes and two nay votes. Councilman Cain and Councilman Williamson cast a nay vote. Councilwoman Allen stated she is voting for the motion on the contingency that she receives the information requested from Attorney Nunn, concerning the litigation of our officers being employed.

H. Resolution #R202-06/07 - Environmental Court. Attorney Nunn read Resolution #R202-06/07 in its entirety, which represents enforcing issues relating to loud noise, litter, vandalism, dilapidated houses, abandoned vehicles, untidy yards, overgrown lots, and etc. Attorney Nunn further stated this resolution is in place to address the collection of delinquent garbage fees, through enforcement of the same. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve said Resolution #R202-06/07. During discussion, an amended motion was made by Councilman Randolph, and seconded by Councilwoman Allen, to amend the motion to include vehicles parked on sidewalks and yards. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

I. Water Works and Sewer Board of the City of Selma. Attorney Nunn stated he is in receipt of a letter from Attorney Collins Pettaway, Jr., Attorney for the Water and Sewer Board, as it relates to clarification to the salary that was approved and voted on by the Council for Councilman Leashore serving as Chairman for the Water and Sewer Board. Attorney Nunn further stated the question that came about in the letter was that the salary that was set at \$900 for the Chairman does not take effect during his tenure as Chairman of the Board, and that it takes effect during 2008, or when his tenure ends. Attorney Nunn stated he informed Attorney Pettaway that he thought the Council, in his opinion, did not intend for it to take effect immediately. Attorney Nunn stated his understanding is that the salary for the Water and Sewer Board Chairman takes effect for the next person that comes in, or if a different person is appointed as

Chairman. Attorney Nunn stated he researched and reviewed the minutes of May 14th, and he thinks they all understand that even the Council's salary cannot be increased or decreased during its term, and he stated to Attorney Pettaway that he thought the Council understood the same. Attorney Nunn further stated the salary is set by the Council, but that the Water Board implements it by Stature or State Law. Attorney Nunn stated that he has a copy of the letter for Council members who desire a copy of it.

J. Farmer's Market. Attorney Nunn stated as of now the status is still the same, but still waiting for the County Commission to approve the agreement.

BUSINESS ITEMS:

I. STOLEN MILLION DOLLARS

President Evans stated Attorney Nunn is still researching this issue.

II. REQUEST FOR INFORMATION - COUNCILMAN CAIN

President Evans stated a meeting will be held with Mayor Perkins and Ms. Cynthia Mitchell, for the purpose of addressing each item questioned, to get those questions clarified, as it relates to this issue.

III. COUNCIL'S WEBPAGE CONTENTS

President Evans reminded the Council members to give Ms. Johnson their information for web content.

IV. SELMA AND DALLAS COUNTY BOARD OF EQUALIZATION BOARD APPOINTMENTS

Councilman Williamson stated if property is assessed at a certain amount and property owners want to appeal it, it is appealed to this Board. President Evans asked that Council would turn in their recommendations to Ms. Johnson, so that the Council can vote and finalize this issue.

V. SELMA WATER WORKS AND SEWER BOARD REPORT

President Evans asks that the Water Board periodically give an update report to the Council, for the purpose of being informed.

VI. COUNCILMAN LEASHORE AND COUNCILWOMAN VENTER - LETTER

Councilman Leashore requested that President Evans read in its entirety, the letter forwarded to him on behalf of himself and Councilwoman Venter, as it relates to their decision not to attend the Administrative Committee meeting scheduled for Monday, June 4, 2007, for the discussion of pay raise requests for certain City employees. Councilman Leashore and Councilwoman Venter request that this letter be made a part of the record, and a copy of the letter is attached to the minutes of this Council Meeting, June 11, 2007.

VII. LITTER CONTROL

Councilwoman Venter stated the problem with people from the County bringing their garbage into the City has gotten out of hand, and asked how can it be stopped. President Evans stated he does not know how this can be handled, unless a citizen sees it being done and reports it. President Evans asked Attorney Nunn to research this issue.

VIII. NOISE ORDINANCE

Councilman Leashore asked President Evans if he would contact Mr. George Henry with WHBB, and ask him to forward the PSA's to 105.3 FM Radio Station, in an effort to reach listeners who may have not heard the PSA on the WHBB Radio Station. Councilman Leashore stated he feels the citizens will see that the Council is not going to tolerate the noise, and that the noise ordinance will be enforced. President Evans made an appeal to the Council members who have not done a PSA, to please consider doing so.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Leashore, Chairperson

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SELMA CITY COUNCIL MEETING
JUNE 11, 2007
5:00 P.M.
No Report.

ADMINISTRATIVE COMMITTEE - Councilman Dr. Cecil Williamson, Chairperson

No Report

PUBLIC SAFETY COMMITTEE - Councilwoman Dr. Geraldine Allen, Chairperson

Councilwoman Allen reported. Copy of minutes attached.

COMMUNITY DEVELOPMENT COMMITTEE - Councilwoman Bennie Ruth Crenshaw, Chairperson

Councilwoman Martin stated she has met with Ms. Griffeth and Mrs. Sexton - Downtown Revitalization and the Water Avenue Project, and briefly on the St. James Hotel. Councilwoman Martin announced the Community Service Meeting was held this quarter at St. Paul's Episcopal Church yesterday (Sunday) evening, and stated she was gratified at the people who came. She stated it was a very good meeting and service, and that there is going to be one every quarter; the next one will be September 10th, at Brown Chapel A.M.E. Church.

PUBLIC WORKS COMMITTEE - Councilwoman Venter, Chairperson

Councilwoman Venter reported. Copy of report attached.

DISCRETIONARY FUNDS COMMITTEE - President Evans, Chairperson

President Evans stated they have collected approximately \$2300 tonight; one was for Selma High Choir, and the other was for the PALS' group.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

Councilman Leashore stated, for the record, the citizens of Ward 6 are very endeared people, and they cherish their belongings, and take pride in what they own; they want to do everything they can to preserve it by keeping it clean and take some serious exceptions to those who do not live in their Ward, that arbitrarily rides through and discard their trash, and he venture to say if they identify anyone that continues to litter Ward 6, they will be taking down some tag numbers, and reporting it. Councilman Leashore stated they want Ward 6 to be an example of how people can live in a clean environment.

ADJOURNMENT

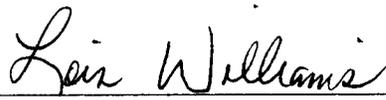
Following discussion of the above, a motion was made by Councilman Leashore, and seconded by Councilman Randolph, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 8:06 p.m.



GEORGE P. EVANS, *Council President*

ATTEST:

APPROVED:



LOIS WILLIAMS, *City Clerk*



JAMES PERKINS, JR., *Mayor*