

MINUTES OF THE SELMA CITY COUNCIL
SEPTEMBER 25, 2006
5:00 P.M.

Call to Order

Invocation: Pastor Joe Nathion Brown
New Hope Apostolic Church

Pledge of Allegiance

Roll Call

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, September 25, 2006 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, Samuel Randolph, Johnnie M. Leashore, Bennie R. Crenshaw and Jannie M. Venter. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, Assistant City Clerk Ivy S. Harrison, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Darlene Rudolph. City Attorney Jimmy Nunn was absent due to a family emergency.

APPROVAL OF AGENDA:

After a lengthy discussion and review of the agenda items, the following amendments were made:

Additions: Canon Repairs
Credit Card Increase for City Council Members

Deletions: **Business items:**
I. Selma Water Works Board Appointment
II. Selma Water Works Board Members Salary
III. Selma Water Works Officers Salary
XI. Date and Time of Budget Meeting

A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve the agenda as amended, acting on Item I of the Business Items, and removing Items II and III of the Business Items. President Evans stated after hearing all of the discussion he does not feel it is in the best interest of the Council to move forward with this issue until the attorneys can get together and come to a consensus that is qualified for the Council to take some type of action. President Evans called Councilman Leashore's motion out of order as well as Councilwoman Crenshaw's second, stating the items I, II, and III will be tabled until the Council can get a report on that. A motion was then made by Councilman Leashore, and seconded by Councilwoman Martin, to approve the agenda as amended. **The motion passed with a unanimous vote (show of hands) of the Council.**

APPROVAL OF MINUTES:

After approval of the agenda, President Evans asked for a motion to approve the minutes of the September 11, 2006 regular meeting. A motion was made by Councilwoman Martin and seconded by Councilman Randolph to approve the minutes as written. **The motion passed with a unanimous vote (show of hands) of the Council.**

CITIZENS' REQUESTS

Ms. Connie Parr (God's Miracle Ranch)

Mrs. Mallieve Breeding (Selma Community Pride) - It was the consensus of the Council to be in support of adding one person to the Selma Community Pride Committee.

Ms. Bonnie Breden (Handicap Accessibility at Police Department Building)

Mrs. Juanita Tripp, Selma City Schools' Parents (State-Wide Parent's Day - Concordia College, October 21, 2006, Math and Science Project) - President Evans stated this is a worthwhile program and stated as a matter of record when the budget is approved he and the council support the project and will make the \$2500.00 donation towards this particular project.

Rev. & Mrs. Joe Nathion Brown, Ms. Annie Alexander (New Hope Community Center) - It was the consensus of the council to be in support of making a donation to the center.

I. MAYOR'S REPORT

A. Certificate of Service Award. Mayor Perkins stated there is an employee who has earned his Certificate of Service and he would like to present it at this time: Mr. Gregory Jones, Public Works Department, *Twenty-Five Years of Service*. Mayor Perkins stated he would like to thank him for his years of dedicated service to the City of Selma. Mr. Jones was also presented with a Longevity Pin.

B. 2006 - 2007 Budget. Mayor Perkins asked Council favorable approval and passage of the budget. He stated if there are some changes, it can come back in two weeks at the next Council meeting and amendments made at that time. Mayor Perkins appealed to the Council to pass the budget, emphasizing the dilemma in not passing it by September 30, 2006. After a lengthy discussion, a motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve the said 2006-2007 Budget for adoption, with the understanding that questions for clarification will be forthcoming. **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 Williamson both cast nay votes.** Mayor Perkins asked the Department Heads who were present if they would stand and be recognized for their hard work on the budget. He also acknowledged the work of the Finance Department and Treasurer's office, their leadership, in pulling together and working hard; everyone has done a good job. Mayor Perkins thanked all of them, and he also thanked the Council for their vote of confidence.

C. Resolution #R197-05/06 - Alabama Historic Commission. Mayor Perkins stated this resolution addresses the Alabama Historic Commission for funds via its Historic Preservation Fund. It is a resolution requesting a match of \$10,000.00 for a grant in this upcoming fiscal year; this appropriation is in the budget. Mayor Perkins asked Council favorable consideration and approval of said resolution. A motion was made by Councilwoman Martin, and seconded by Councilman Leashore, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

D. Resolution #R196-05/06 - Enhancement Grant Application. Planning & Development Director Charlotte Griffeth addressed the Council stating this resolution represents the City of Selma's desire to apply to the Alabama Department of Transportation for an Enhancement Grant to develop the Riverfront area to improve the quality of our community and enhance the travel experience for citizens traveling by all modes. She further stated the amount of grant funds requested in the application is \$500,000.00 with a match of 20% of \$100,000.00, and an additional \$25,000.00 towards the project match funds to be included in the 2006-2007 Planning and Development Budget-Match Funds. During discussion, a motion was made by Councilman Leashore, and seconded by Councilwoman Randolph, to approve the said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

E. Resolution #R195-05/06 - Delinquent Garbage Fees. Mayor Perkins stated this resolution authorizes the Treasurer's office, the Tax and License Department within the Treasurer's office, to move forward with sending out delinquent garbage fees to a collection agency. Mayor Perkins further explained Items 1 and 2 of the resolution which states: (1) each customer who has a delinquent garbage bill of 90 days or more will receive a letter advising them to submit the past due amount in 15 days of the day of notice, and (2) 15 days after the account is still unpaid, the City of Selma will proceed to take legal action against them to collect the debt in full. During discussion, a motion was made by Councilman Leashore, and seconded by Councilwoman Allen, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

F. Crime Data - FBI Report - Update. Mayor Perkins stated, to the best of his knowledge, the City has always submitted data to the State of Alabama. Mayor Perkins further stated it is posted on our system, and transmitted to the State of Alabama. Mayor Perkins stated he is not certain at that point what the State of Alabama does in terms of reporting data to the FBI. He has not had an opportunity to research that, but if there has been some change in the way the data is reported from the State to the Federal government we will look into that and find out. But, at present, according to the information he has received, nothing has changed.

G. Larry Striplin Land Purchase. Mayor Perkins stated Ms. Cynthia Mitchell has conferred with bank officials; Peoples Bank is the bank of choice. Ms. Mitchell has been working with Mr. Ed McCurdy and Peoples Bank. They are moving through the process. There is an issue with the abstracts, trying to get it done by the end of the week, in hopes of this fiscal year. Mayor Perkins stated they are working on it and will keep the Council posted. Mayor Perkins further stated that he is in receipt of a letter that explains that there is a portion of that land that is considered to be of a historic nature, an area of interest. Mayor Perkins stated that they have

I. MAYOR'S REPORT

always known that and desire to take possession of that for the purpose of preservation. Mayor Perkins further stated that they are moving forward with this process. Mayor Perkins stated Council has to approve the transaction; they have also been keeping Mr. Striplin up-to-date.

H. Good Samaritan Report. Mayor Perkins stated that Mrs. Bridgett Mills is serving jury duty, and he has not had an opportunity to speak with her. Mayor Perkins further stated he will get the report from Mrs. Mills, and report back to the Council.

I. Traffic Light at Jeff Davis Avenue and Church Street - Update. Mayor Perkins stated a driver in a single car accident knocked the traffic light down and that is why the light is down now. Mayor Perkins further stated the Public Works Department has moved forward in getting estimates needed for repair, and the Police Department, Public Works Department, and the Clerk's office are working together with filing insurance in hopes of recovering that cost. Mayor Perkins also stated the driver has insurance and the claim will be filed against the insurance of that driver, and hopefully we will be able to recover that cost. Mayor Perkins stated due to the emergency nature of this claim, he is authorizing the immediate repair of the traffic light. Mayor Perkins further stated AL-DOT gave an estimate of the cost, along with another vendor, but he has decided to go with the estimate of AL-DOT, which is a State vendor. Mayor Perkins encourages citizens as they approach that intersection to be careful.

J. Alabama Department of Transportation. Mayor Perkins announced that the Alabama Department of Transportation will be having a public forum on the I-85 Corridor on tomorrow evening, at 5:00 p.m. - 7:00 p.m., at the St. James Hotel. He stated that they have updated maps of the proposed Corridor, the various options for the Corridor, and this is one of those areas where we need everyone's support. He asked citizens to come out and lend their support. Mayor Perkins further stated it is critical that we show up and lend our voices in support. He also asked Council members, department heads, and City employees to come, along with citizens.

K. Resolutions - Annual Bids. Mayor Perkins asked Ms. Lois Williams to come and present the Council with the Resolutions that City Attorney Jimmy Nunn would have normally presented if he was present. Mayor Perkins further stated that our newly Certified Assistant City Clerk Ivy Harrison will assume the responsibilities of the City Clerk in Ms. Williams' absence.

Ms. Lois Williams:

Resolution #R198-05/06. This resolution represents a bid proposal on Plant Mix for the Public Works Department. Ms. Williams asked Council's favorable consideration. After discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Martin, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

Resolution #R199-05/06. This resolution represents a bid proposal on Corrugated Metal Pipe for the Public Works Department. Ms. Williams asked Council's favorable consideration. A motion was made by Councilman Leashore, and seconded by Councilwoman Martin, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

Resolution #R200-05/06. This resolution represents a bid proposal on Gasoline and Diesel fuel for the City of Selma. Ms. Williams asked Council's favorable consideration. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

Resolution #R201-05/06. This resolution represents a bid proposal on Pest Control Services for the City of Selma. Ms. Williams asked Council's favorable consideration. During discussion, a motion was made by Councilman Cain, and seconded by Councilman Williamson, to amend the budget for unappropriated funds in this line item, for the bid award. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.** Following discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

Resolution #R202-05/06. This resolution represents a bid proposal on a Gang Mower for the Recreation Department. Ms. Williams asked Council's favorable consideration.

I. MAYOR'S REPORT

During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Martin, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

L. Canon - Repairs. Mayor Perkins stated he concurs with the Council in support of the repairs that need to be made on the Canon. The Canon is located in front of City Hall. Councilwoman Martin gave a report on the repairs that need to be made on the Canon. Councilwoman Martin asked the Council's approval to proceed with the funds received from the Committee's fundraising to make the repairs with, along with Councilwoman Crenshaw's recommendation of making sure that there are guidelines in place. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Randolph, to approve the request to make the repairs to the Canon. **The motion passed with a unanimous vote (show of hands) of the Council.**

M. Skate Park. Mayor Perkins asked Council if they would reconsider and support this project. Mayor Perkins stated the remainder of the balance is for the slab. Mayor Perkins stated the known commitments we have up to this point are: Councilman Crenshaw, \$6,000.00, Councilwoman Venter, \$6,000.00, Councilwoman Martin, \$3,000.00, Councilwoman Allen, \$2,000.00, Councilman Leashore, \$6,000.00, and Councilman Randolph, \$6,000.00. Mayor Perkins appealed to the other Council members for their support, stating we are right at "half-way" and needs the Council's help. It was the consensus of the Council to support this effort.

BUSINESS ITEMS:

I. COUNCIL COMMITTEES' APPOINTMENTS

President Evans asked Council members, if they have not, to make sure he gets the information on the appointments reported back to him.

II. NOISE ORDINANCE

President Evans stated the Council needs to decide where it wants to proceed with the Noise Ordinance. Mayor Perkins stated a citizen had approached him at home about a citation he had just received, alleging he did not deserve the ticket.

III. FRANKLIN COLLECTION SERVICES - CONTRACT. Mayor Perkins addressed the Council, stating the resolution for the procedure to take in uncollected garbage fees had already passed. Mayor Perkins asked the Council favorable consideration on the contract for the company that would be handling the delinquent garbage fee accounts. During discussion, a motion was made by Councilman Leashore, and seconded by Councilwoman Venter, to approve the said contract, with the amendments made. **The motion passed with a unanimous vote (show of hands) of the Council.**

IV. JUDICIAL CORRECTION SERVICES, INCORPORATED - CONTRACT. Mayor Perkins addressed the Council, stating he recommended that the Council move forward with approving this contract, so that it can assist our court system with the management of court fines and uncollected court fines. Mayor Perkins also stated that he had spoken with the Presiding Municipal Court Judge and she stated she is willing to try this service. During discussion, a motion was made by Councilman Williamson, and seconded by Councilman Cain, to approve the said contract. **The motion passed with a unanimous vote (show of hands) of the Council.**

V. POLITICAL SIGNS ON RIGHT-OF-WAY

President Evans stated it was the consensus of the Council to remove all political signs on public Right-of-Ways. A motion was made by Councilman Williamson, and seconded by Councilman Cain, to remove all signs on public right-of-ways. **The motion passed with a unanimous vote (show of hands) of the Council.**

VI. APPLICATIONS FOR LIQUOR LICENSES - Ms. Jackie Newberry-Agee (Pit Stop) and Ms. Tammy Williams (Cheers)

President Evans stated the Council needs to decide whether it wants to act on the liquor license applications of Ms. Jackie Newberry-Agee (*Pit Stop*) and Ms. Tammy Williams (*Cheers*), in the absence of City Attorney Jimmy Nunn. During discussion, a motion was made by Councilman Leashore, and seconded by Councilman Randolph, to take action on the liquor license applications. President Evans called for additional discussion on the matter by the

BUSINESS ITEMS:

Council. Councilwoman Crenshaw stated her position is about building communities. Mayor Perkins also addressed the Council and stated he concurs with Councilwoman Crenshaw. Mayor Perkins further stated we cannot in municipal government legislate morality. Mayor Perkins further stated if we try to do that under the existing law we would be inconsistent. Mayor Perkins stated it his hope that we standardize the procedures so that this would be a procedural matter and not a matter of personal preference on these issues. After discussion, President Evans called for withdrawal of Councilman Leashore's motion, and Councilman Randolph's second of the motion, and stated at this point this item needs to be tabled.

VII. INCREASE CREDIT CARD LIMIT

During discussion, a motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve increasing the credit card limit \$10,000.00 for the purpose of trips. A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight ayes and one nay vote. Councilman Williamson cast a nay vote.

VIII. EXECUTIVE SESSION

President Evans stated for the purpose of legal matters, name and character, he would like the Council to proceed into an Executive Session for discussion. It was the consensus of the Council to recess into Executive Session at the end of the Council meeting for that purpose.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - COUNCILMAN SAMUEL RANDOLPH, CHAIRPERSON

There is no report for the Recreation Committee.

ADMINISTRATIVE COMMITTEE - COUNCILWOMAN DR. GERALDINE ALLEN, CHAIRPERSON

There is no report for the Administrative Committee.

PUBLIC SAFETY COMMITTEE - COUNCILMAN REID CAIN, CHAIRPERSON

There is no report for the Public Safety Committee.

COMMUNITY DEVELOPMENT COMMITTEE - COUNCILWOMAN JEAN MARTIN, CHAIRPERSON

Councilwoman Martin reported the Lions Club Fair opens a week from today, and the Council is invited to be there at 5:00 p.m. Councilwoman Martin also reported a new business opens on that same date, in the location of where Lakeview Nursery was. The name of the business is TuTu's and they will be selling fresh vegetables and fruits, from the farm. A gift shop is also included there. On October 13th and 14th Riverfront Market and TaleTelling will be held. President Evans asked Ms. Diana Johnson to remind the Council of the above-mentioned events. President Evans also made mention of Youth Leadership, about 35 in the group - Youth Leadership Day, October 10th.

PUBLIC WORKS COMMITTEE - COUNCILMAN LEASHORE, CHAIRPERSON

There is no report for the Public Works Committee.

DISCRETIONARY FUNDS COMMITTEE - COUNCILWOMAN CRENSHAW, CHAIRPERSON

There is no report for the Discretionary Funds Committee.

EXECUTIVE SESSION

President Evans requested a motion to recess into executive session. A motion was made by Councilwoman Martin, and seconded by Councilwoman Martin, to recess this meeting into executive session to discuss legal matters. The motion carried with a unanimous vote (show of hands) of the Council members.

EXECUTIVE SESSION

Following executive session, a motion was made by Councilman Leashore, and seconded by Councilman Randolph, to reconvene the meeting into regular session at 9:40 p.m. The motion carried with a unanimous vote (show of hands) of the Council members.

President Evans stated he had conferred with City Attorney Jimmy Nunn to negotiate the cases pending. During discussion, a motion was made by Councilman Leashore, and seconded by Councilwoman Martin, to settle the cases pending if they can. **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 both cast nay votes.**

ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw to adjourn, and by unanimous consent of the Council, this meeting adjourned at 9:42 p.m.



GEORGE P. EVANS, COUNCIL PRESIDENT

ATTEST:



LOIS WILLIAMS, CITY CLERK

APPROVED:



JAMES PERKINS, JR., MAYOR