

MINUTES OF THE SELMA CITY COUNCIL
JULY 23, 2007
5:00 P.M.

Call to Order

Invocation: Reverend Lee Goodwin
Second Baptist 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, July 23, 2007 at 5:00 p.m.

SPECIAL PRESENTATION

FBI Special Agent Debra Mack – Donation of FEMA Trailer. Mayor Perkins introduced Special Agent Debra Mack to the Council. He stated Debra Mack is the Special Agent in charge of the FBI Mobile office, this district also includes Selma. Special Agent Mack addressed the Council stating she visits Selma today to personally present, on behalf of the FBI, a Gulf Stream Trailer which was obtained by the FBI from the United States Coast Guard via a government transfer. She stated these trailers were provided to a number of local law enforcement partners, as well as emergency management partners to utilize in instances of critical incidents or routine law enforcement community policing. Special Agent Mack further stated she is pleased to provide this command post, which is a 2005, 27 ½ feet trailer that comes with a slider and bumper pool, and is valued at approximately \$30,500.00. Mayor Perkins stated, on behalf of the City of Selma, he would like to thank Special Agent Debra Mack and the FBI for their gift and also acknowledge that the City of Selma Police Department and others have taken full advantage of the training offered, both while trainers are dispatched to the community and in Mobile. Mayor Perkins further thanked Special Agent Mack for the support of the FBI in the community.

ROLL CALL

The following members were present during roll call: Council President George Evans and Council members Cecil Williamson, Reid Cain, 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, Assistant City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Darlene Rudolph. Councilman Samuel Randolph was absent during roll call and arrived at 5:22 p.m.

APPROVAL OF AGENDA

President Evans asked for the approval of the agenda items. *A motion was made by Councilman Cain and seconded by Councilwoman Venter to approve the agenda as written. The motion passed with a unanimous (show of hands) vote of the Council members present.*

APPROVAL OF MINUTES

After approval of the agenda, President Evans asked for a motion to approve the minutes of the June 25, 2007 regular meeting, June 29, 2007 reconvened meeting, and July 9, 2007 regular meeting. *A motion was made by Councilman Leashore and seconded by Councilwoman Martin to approve the minutes of June 25, 2007. The motion passed with a unanimous (show of hands) vote of the Council members present.*

A motion was made by Councilwoman Martin and seconded by Councilman Leashore to approve the minutes of June 29, 2007 reconvened meeting. The motion passed with a unanimous (show of hands) vote of the Council members present.

A motion was made by Councilwoman Martin and seconded by Councilman Leashore to approve the minutes of July 9, 2007 regular meeting with corrections and questions noted. The motion passed with a unanimous (show of hands) vote of the Council members present.

Councilman Randolph arrived during citizens' request.

CITIZENS' REQUESTS

Mr. David Everhart
Re: Request to modify code to sell fireworks within the police jurisdiction

Attorney Faya Rose Toure
Re: Objection to alcoholic beverage license

Mr. Davy Hay and Dewain Sealy
Re: Alcoholic beverage license application

MAYOR'S REPORT

A. **Selma Police Department Athletic League (PAL) Basketball Team Trip.** Mayor Perkins stated he would like to ask Officer Cowan and the Police Athletic League to come forward to address the Council. Officer Cowan and players addressed the Council regarding the trip expressing their appreciation for the contributions made to the Athletic League.

B. **Contract – MaxiBall (HoopFest) 3-on-3 Basketball Tournament.** Mayor Perkins stated he would also like to ask Officer Cowan to come forward again to address the Council regarding the 3-on-3 basketball tournament. Mayor Perkins stated this is the second annual event in honor of Coach Willie Maxie and encourage the Council to come and be a part of the process. Officer Cowan addressed the Council with further details of the event which will be held August 11, 2007.

C. **Longevity Pins** – Mayor Perkins stated he would like to ask Terence Marshall, Public Works Department, to come forward for presentation of certificate and pin in recognition of *five years of dedicated service to the City of Selma.*

D. **Resolution – R232-06/07 – Governmental Accounting Standards Board.** Mayor Perkins stated he would like to ask Ms. Cynthia Mitchell to come forward to address the council. Ms. Mitchell read the said resolution in its entirety. *A motion was made by Councilman Leashore and seconded by Councilman Randolph to approve the said resolution. A roll call vote was taken and the motion passed with unanimous vote of the Council.* Mayor Perkins stated he would like to state, for the record, that there was a very thorough work session on Thursday and all items were discussed.

Resolution - #R227-06/07 – Recreation Trails. Mayor Perkins stated he would like to ask Ms. Charlotte Griffeth to come forward to address the council. Ms. Griffeth read specifics of this resolution to apply to the Alabama Department of Economic and Community Affairs for a FY 2007 Recreation Trails Grant to assist the City with the current need for resurfacing the track at Memorial Stadium with \$110,000.00 and the maximum grant amount of \$100,000.00; the City of Selma pledges a 10% match in the amount of \$10,000.00 in the FY 2007-2008 budget via line Grant Matching Funds. *A motion was made by Councilman Leashore and seconded by Councilwoman Martin to approve the said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council.*

Resolution - #R228-06/07 Planning Grant. Ms. Griffeth read specifics of this resolution for FY 2007 planning grant to assist the city with the continuation of the development of a comprehensive plan in the amount of \$60,000.00 and the maximum grant amount of \$50,000.00; the City of Selma pledges a 20% match in the amount of \$10,000.00 in the FY 2007-2008 budget via line item Grant Matching Funds. *A motion was made by Councilwoman Martin and seconded by Councilman Leashore to approve the said resolution as amended. A roll call vote was taken and the motion passed with a unanimous vote of the Council.*

Resolution - #R229-06/07 Community Enhancement Grant. Ms. Griffeth read specifics of this resolution to apply to the Alabama Department of Economic and Community Affairs for a FY 2007 Community Enhancement Grant to assist the City with clean-up efforts on Water Avenue in the amount of \$300,000.00 and the maximum grant amount of \$250,000.00, the City of Selma pledging a 20% match in the amount of \$50,000.00 in the FY 2007-2008 budget. *A motion was made by Councilman Leashore and seconded by Councilwoman Martin to approve the said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.*

E. **WilsonPrice Invoice.** Mayor Perkins stated an invoice has been received from WilsonPrice for billing of the additional work related to the resolution of Councilman Williamson's letter. Mayor Perkins stated the invoice attached reads for Professional Services rendered as follows: "Services related to research, consultation and responses to City Council questions". Mayor Perkins stated the amount of the invoice is \$9,850.00 and he does not have a way to absorb this, so he is asking the Council to come up with the appropriation so this billing can be paid that resulted from Council action.

Councilman Cain stated he feels that no action should be taken on this matter tonight or until the Council receives an itemization of the hours of services that were rendered, because this is quite expensive for one or two pages of questions that was addressed by a Council member. Mayor Perkins stated to President Evans that if he recalls there may have been one or two pages of questions, but it generated about four inches of documentation, or maybe two, but there was fairly an extensive reply and you are looking at the work product that was produced as a consequence of that reply, which went through every account on every accusation that was made as a consequence of the Councilmen; Councilman Williamson writing a letter and Councilman Cain made all the calls. Mayor Perkins stated they went through, answered all the questions and now they have submitted a bill and they want to be paid.

Councilwoman Crenshaw stated this was not an action taken by a vote of the Council; this was an action taken by individuals who chose to do whatever they wanted to do with this, questioning the auditors, and going into the newspaper talking about the amount of money being spent by this city and would just arbitrarily go out and incur a \$10,000.00 debt on something that did not even change, and did not even show any results. Councilwoman Crenshaw further stated she is "definitely not going to vote for the payment of this bill, but she does feel that those who do, along with the ones who made the calls, who asked for the information, who received something in writing; those individuals should come together and be responsible for that bill."

Councilman Williamson stated to President Evans that WilsonPrice has "ripped us off" through this entire process, "they've charged us over \$90,000.00 already, and now they are trying to rip us off for another \$9,850.00." Councilman Williamson further stated he agrees completely with Mr. Cain, "that the City should not pay invoices, any invoice, when it does not have an itemized statement of how many hours they

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spend and what their charge per hour is", and not "just send you a bill for \$9,800.00 with one sentence". Councilman Williamson also stated he is not going to pay for questions that Mr. Nunn asked. Councilman Williamson stated "look at the bill and look what it says", "somebody over there at WilsonPrice is intellectually challenged because they've sent this bill for City Council questions"; "Mr. Nunn is our City Council." Mayor Perkins asked that the Clerk would add all comments made to the record.

Councilman Cain stated as far as information goes, the auditors, as you know, had "asked us to---if we had any questions", to contact them, and "as far as the Mayor had indicated that some information that I requested was supposed to be included in this bill, which is not stated in the letter; it states about another issue, but nevertheless, if that is the case", "I sent the auditors an email and within twenty minutes they responded back with the information in an email format, not only to myself, but to the Treasurer's Office, so all of my documentation was printed and provided already by the City".

A motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore that the individuals that incurred those expenses by asking for information without the vote of the Council be responsible for paying this bill. Councilwoman Venter stated the individuals names are stated in the letter. President Evans stated this is a very difficult situation, Council members. Councilwoman Allen asked how is this suppose to be paid, personal or...Councilwoman Crenshaw stated she is asking for "personal money because the Council did not make any---my understanding is that anything financial---this has been a "cry" since they've been on this Council about coming before this Council to approve anything that is dealing with finance." Councilwoman Crenshaw stated "that was a financial move and the auditors made the statement before they left the podium that any information asked of them passed that audit will obtain a bill, that was said by the auditors before they left, so with the understanding about that, we should hold these persons responsible for calling on their own and a bill of \$10,000.00." Councilwoman Crenshaw stated to President Evans that she "does not have a problem with the itemization of it, to try to find out exactly what was done, but those individuals took it upon themselves, and now to come back for us to pay a bill that we did not even authorize, I want to know how far that goes, legally"?

Councilman Cain stated the questions were very legitimate because they are related to our accounts payable, and again, "my name is not associated with the particular letter, but nevertheless I'm being included in this and since I am, I'm going to clarify what happened on my situation is that we have accounts payable that shows \$900,000.00 at year end 2006, prior to that it was at \$650,000.00, prior to that it was at \$500,000.00, and the years prior to that it was only at \$100,000.00". Councilman Cain further stated accounts payables have been increased significantly and that was the reason why I was asking for the information of where that money came from and the information that we were given as Council members only shows \$250,000.00 at year end; and there are a lot of reasons for that, but nevertheless, that was a very, very valid point that needed to be answered and our Treasurer and Mayor would not answer the questions---so---the auditors did. Mayor Perkins stated to President Evans that he is not going to accept that, first, he stated he thought that when Mr. Cain was brought to his office and Ms. Mitchell explained again, he thought it was for the last time, he really thought he understood, but based on his last statement he still does not understand and he just wants to make sure the record is clear that when he said that "I refused to answer questions, that's a lie" and "when he said that Ms. Mitchell refused to answer questions, that's a lie", and "when he said that the numbers were variable, that's a lie". Mayor Perkins stated when the auditors went back and answered all of their questions; the amounts did not change by a nickel. Mayor Perkins stated they went through and checked every number that they wanted them to check, they went through all of the detail transactions to verify other numbers and the numbers did not change by a nickel from the draft report to the final. Mayor Perkins stated every time the questions were asked the same answers were provided and "we" cannot be held responsible for folk not understanding what they are being told and he takes exception to the misinformation saying that Ms. Mitchell did not answer, that he did not answer, that's not true; the auditors answered, we all answered, we all gave the same answer and when they went back and verified the numbers, the numbers confirmed that everybody answered them correctly.

Councilman Williamson stated that he wrote this letter, it was four pages with eight questions, their response was three pages, and quite frankly, he does not feel it was worth \$4,925.00, and the question really is that "we can get an audit, but you can't question it"? Councilman Williamson also stated "they actually stood there and asked us if we had any questions to contact them; that's on the tape, and now we have contacted them and all of this has fallen out". President Evans passed the gavel to President Pro Temp Martin, then stated that he hates that it's Reid and Williamson, because it is always reflected that he takes sides, but he will take the position on this matter that we need to have ground rules---this is a City bill and there is no way we can turn that bill around and make somebody pay it, when it is in the name of the City of Selma. President Evans stated if they choose to pay it, they can, but we cannot say that "you better pay it" because "you did this or that", and in the future we need to truly have ground rules to cover things of this nature, if in fact, someone goes out and establish a bill for the City and unless that proves to be an invalid request, then they should be liable for it. Councilwoman Crenshaw stated she was only asking that the City not pay an amount that was incurred by individuals where there was not a vote taken by the Council to spend the funds. Councilwoman Crenshaw also stated the auditors made it plan and clear and that should be in the minutes too, that anything beyond that audit, that there would be a fee attached; they made that statement, but these individuals choose to go out on their own and seek information. Councilwoman Allen stated she has some questions, in accordance with the litigation, how we stand, she would like to ask Attorney Nunn; 1) Can we, as stated by President Evans, require someone to pay the City of Selma bill? 2) On a contractual basis, according to the written document between the City of Selma and WilsonPrice, what is the requirement as it relates to questions and cut-off date? Attorney Nunn stated "the City Council, I think, acting as a body, I don't know whether or not you can require someone, whether or not it's another Council person in their individual capacity be responsible for any type of payment, you can require it and you can take a vote, but whether or not that person is going to be responsible is legally up to what the law says". Attorney Nunn

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stated the law says that the Mayor is over the audit and he is responsible for getting someone to prepare the audit and finding an auditor to do the work, and the Council is legally responsible for paying that bill. Attorney Nunn further stated that ultimately the Council can require an individual person to be held liable, but at the end, if there is litigation that person or company will come after the City of Selma because we are legally liable for any and all bills as it relates to the audit. Attorney Nunn stated he would have to go back and review the contract and he does not want to take it out of context without going back to review what it says about questions or answering questions. Attorney Nunn suggested one thing the City Council may want to do, in the future, is that unless it is a vote of the Council or a resolution for the auditors to answer questions, then they don't answer any questions from any individual Council member unless there is a vote from the Council as a whole so that if there is a call, there will be a policy in place.

Mayor Perkins read the letter, and stated this letter says nothing about the audit, and this was not done in the context of the actual audit work; these are questions that were sent to the auditors; responses and inquiries that were being made by members of the Council. Mayor Perkins stated he feels very confident that he did go on record asking Council members to refrain from calling and doing this, because it would impact the billing. Mayor Perkins stated he has a bill and now he is asking the Council authorization to pay it because it was in the context of Council inquiries. Councilwoman Venter asked where the funds would come from if the City pays the bill? Councilman Cain stated he would like to clarify some things as far as the questions are concerned, nothing was ever questioned about the figures as far as what was presented, what his inquiry was—was for an explanation for the difference of why our figures were so much different from September 30th to the time that we got the audit from \$250,000.00 to \$900,000.00. Councilman Cain stated he addressed these questions on April 28th in the Council meeting and he sent a letter on May 10th and another letter at the end of May requesting a meeting to discuss the difference and it was not until June that the meeting occurred, so it was a long period of time before this information was dealt with, nevertheless, it was dealt with and as he mentioned in the last Council meeting, he appreciates the response by the Treasurer, Cynthia Mitchell and the time that she provided in addressing those questions. A motion was repeated by Councilwoman Crenshaw, which was seconded by Councilman Leashore, that the individuals who are

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G. Resolution #R233-06/07 - EMA Tower. Mayor Perkins stated there has been a lot of discussion about the EMA Tower, and the modification that would be needed for the tower to co-locate the City's antennas on that tower. Per resolution #R233-06/07 read by Mayor Perkins, a budget amendment using funds from the Police Department's Unused Salaries (1.6100.103.0) and transferring to the Police Department's Communication Maintenance & Repairs line item (1.6100.166.0) in the amount of \$21,238.31 for EMA Tower repair and Public Safety Tower removal. *A motion was made by Councilman Leashore and seconded by Councilwoman Venter to approve the said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council.*

H. Elimination Tax Digest. Mayor Perkins stated the elimination tax digest is an annual process and the Council has to vote on the statement of authorized eliminations from the tax digest, which is less than last year. Mayor Perkins stated questions have been asked do we still continue to try to collect this money and the answer is yes. *A motion was made by Councilwoman Martin and seconded by Councilwoman Allen to approve the statement of authorized elimination. A roll call vote was taken and the motion passed with a majority vote of the Council.*

Councilwoman Martin left the Chambers briefly and returned at 7:29 p.m.
Councilman Williamson left the Chambers briefly and returned at 7:36 p.m.

CITY ATTORNEY'S REPORT

A. L. L. Anderson Property Demolition. Attorney Nunn stated this property is located on L. Anderson. Attorney Nunn stated Reverend Carl Lewis, Pastor of Hopewell Baptist Church is interested in purchasing this property for a nominal amount. Attorney Nunn stated this property was donated to the City by Jim Scott along with several other houses, most of which were on the demolish listing. Attorney Nunn stated Reverend Lewis wishes to renovate this property to build an adult outreach ministry. *A motion was made by Councilman Leashore and seconded by Councilman Randolph to sell this property to Carl Lewis and Hopewell Baptist Church in the amount of \$100.00. A roll call vote was taken and the motion passed with a unanimous vote of the Council.*

Councilwoman Crenshaw left the Chambers briefly and returned at 7: 44p.m.

B. Liquor License Application – Red Room. Attorney Nunn stated this establishment is located at 111 US Hwy 80 East in the old H & H building. Attorney Nunn stated Mrs. Faya Rose Toure addressed the Council earlier objecting this establishment's liquor license approval. Attorney Nunn stated that is the reason the signs are placed at the establishment so that anyone can be on the agenda to address the Council and you can take that under consideration as you make your ruling whether or not to approve or deny the application. Councilman Leashore stated due to the fact that the area in question has been talked about at length and due to his humble opinion that this is sacred and holy grounds, due to the futuristic implementation of a museum that will depict the Civil Rights struggle, *a motion was made and seconded by Councilwoman Venter to vote this license down.* During discussion, Councilwoman Crenshaw asked what is the timeline for a person to come an object to a liquor license? Attorney Nunn stated once the sign is placed, it states that anyone who objects can be placed on the agenda prior to the approval of the license. The sign is placed after the license is placed on first reading. Councilwoman Crenshaw also asked what is the stipulation regarding the spending of money?

Attorney Nunn once the Council approves the license then that gives the authority to go ahead and spend money on the facility, but they are not required to do so. Councilman Leashore stated this is the very reason why he was against the policy established by the Council, he predicted and it has come to fruition tonight that there would be citizens out of pocket expense, which is the case tonight if the license is voted down. Councilwoman Allen stated Attorney Nunn has been very consistent about asking for objections before the Council votes. Councilwoman Allen also stated the procedures were changed so that businesses would not spend money and Attorney Nunn has made it very clear to the businesses that they should not spend money until this process is complete and do not feel it needs to be revisited. President Evans stated to keep in mind that there is another establishment, Johnny's Package Store, less than 100 yards on that same block. President Evans stated it is really sad and he hopes that the individuals could get together and work it out; how can we turn it down when there is an establishment right down the street based on the fact that something else will possibly be built there? President Evans stated this is the wrong message. President Evans stated when it is built there then we should find a way to work through it, and he respects the idea and the picture shown was wonderful and they should go on and place it there but until that time there is nothing there now.

President Evans passed the gavel to President Pro Temp Martin and stated he feels Mrs. Sanders should go forward, but until it happens we should do what ought to be done and when the time comes work through the process with the owners to find out how it can be resolved. Councilwoman Allen stated she sees a perceivable problem with parking and the owner needs to give some type of solutions to a potential problem because if this is a very successful business, we are going to have a problem as well as the owners beside this establishment. Following discussions, Councilman Leashore withdrew his motion and Councilwoman Venter also withdrew her motion to vote this license down. During further discussion, *a motion was made by Councilman Leashore to vote the license down since there was no motion for approval, however, the motion failed for lack of a second.* Councilwoman Martin return the gavel to President Evans and stated it just occurred to her that the National Park Service visited Selma and discussed what will take place in that building and a large part of it will be the history of the Voting Rights and the Voting Rights

CITY ATTORNEY'S REPORT

Trail and work is already ongoing.

A motion was then made by Councilwoman Crenshaw and seconded by Councilman Leashore to vote the license down based on the understanding that has been shared with the Council tonight. A roll call vote was taken and the motion passed with a majority vote of the Council. There were six ayes and three nay votes. President Evans, Councilman Williamson and Councilwoman Martin each cast a nay vote.

Councilwoman Venter left the Chambers briefly and returned at 8:11 p.m.

C. St. James Hotel Operations Report. Attorney Nunn stated the Council has copies of the daily operation report concerning the St. James Hotel. Attorney Nunn stated a report was also given at the last Council meeting and we promised that we would keep you updated and this update is also an updated daily operation report and the total revenue is to the right hand side covering the period of July 9, 2007 through July 18, 2007. Councilman Cain asked about the expense side of the equation. Ms. Griffeth stated to the best of her ability an estimated income of \$41,373.10 and what has been expended to date is \$13,600.69 for banquets, meetings and personnel through July 18, 2007. Ms. Griffeth further stated there are additional bills that she will have added by the next Council meeting totaling \$5,748.31, making an approximate amount for expenditure of \$36,000.00 to date and keep in mind that the \$41,373.10 was through July 18, 2007 and there has been several thousands more deposited since that date.

Councilman Randolph left the Chambers briefly and returned at 8:43 p.m.

D. Revised Lease Agreement – Gourmet Services, LLC. Attorney Nunn stated this is the final lease agreement agreed upon by the Attorneys and he and Ms. Griffeth. Attorney Nunn stated they did decide to move forward with entering into lease agreement with the City of Selma oppose to a management agreement. Attorney Nunn stated several revisions had to be made and he did not received them until Saturday, which was distributed to the Council on Sunday. Attorney Nunn stated the document before you today has a take over agreement date for tomorrow July 24, 2007 on the management side, and the lease agreement will still take place on August 1, 2007 at no cost to the City of Selma. Following further discussion, *a motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve to continue employee payments and utilities until August 1, 2007 at 12:01 a.m. A roll call vote was taken and the motion passed with a unanimous vote of the Council.* A lengthy discussion and questions followed this vote regarding the lease agreement content and revisions. *A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve the said lease agreement. A roll call vote was taken and the motion passed with a unanimous vote of the Council.*

E. Lawsuit - Kindaka Sanders vs City of Selma. Attorney Nunn stated the Attorneys just received a the transcript from the court a few days ago and are in the process of preparing documents for the appeal.

President Evans left the Chambers briefly and returned at 9:13 p.m.

Councilman Leashore left the Chambers briefly and returned at 9:14 p.m.

BUSINESS ITEMS:

I. ENVIRONMENTAL COURT

President Evans stated an update was given in a meeting in the Chambers with Mayor Perkins and Judge Chittom is working on arrangements to visit Mobile's environmental court.

II. CERTIFIED POLICE OFFICERS

Councilman Williamson stated a couple of weeks ago, Mayor Perkins gave the council a listing of certified police officers and obviously some of these people have quit because on July 19, 2007, the Times Journal reported that we had 41 police officers and he wants to know how many we do have? Discussion followed and no action taken.

III. STOLEN MILLION DOLLARS UPDATE

Councilwoman Crenshaw stated Attorney Nunn would have an update on this item at the next Council meeting.

IV. NOISE ORDINANCE

Councilman Williamson stated he received the report at the work session and it is still strange that there are only three complaints during the whole month of June about noise. Councilman Williamson stated we should encourage people to note the time the police is called and who takes the call and maybe we can find out where the breakdown is; whether people are really calling and whether the word is getting out to the police. Councilman Leashore stated what would also help in this arena is that his colleagues who talks about noise, but fail to go to do the PSA's. Councilman Leashore stated there have been only four council members to cut PSA's, but at every Council meeting the same people proclaim that noise is out the boundary

BUSINESS ITEMS:

and if they are serious about this noise they need to go down and cut these Public Service Announcements so that the citizens can see that this Council has uniformity with their desire to suppress the noise.

V. FY 2007-2008 CITY BUDGET REPORT

President Evans stated Mayor Perkins mentioned at work session that a draft would be forthcoming in August, either the 1st or 2nd meeting in August, for the Council to begin dialogue.

VI. REPAIRS TO PUBLIC SAFETY BUILDING

Councilman Williamson stated the A/C on part of the third floor of the Public Safety Building has been out all summer and he does not know how we can expect people to work under those conditions. Councilwoman Crenshaw stated something was said about issues at the Police Department. President Evans concurs and stated it is still under investigation. Councilman Williamson asked if cameras are all over the building? Councilman Cain asked if there are people working on the floor and if they could be relocated to another area? President Evans stated he would pass this information on to Mayor Perkins to see what can be done.

VII. DEPARTMENT BUDGETARY LINE ITEMS

President Evans stated he met with Ms. Mitchell and Mayor Perkins to address the article in the paper that Councilman Williamson addressed to him pertaining to this matter. President Evans stated to Councilman Williamson that things of this nature he could get together to work out without it being a public issue. President Evans stated to Councilman Williamson that he could come to him or write him a letter and let him address, and if he does not then if he wants to expose it or make it an issue, then that would be fine, but he feels this is an issue that could have been brought to him and he could have gone, as he is going to do, and try to get clarification on it instead of creating a lot of negative dialogue. President Evans asked if the Council would let him deal with these types of issues.

VIII. JOB VACANCY

A motion was made by Councilman Williams and seconded by Councilwoman Martin to place a hiring freeze on all hiring employees except Police and Fire. Following discussion, a roll call vote was taken and the motion passed with a majority vote of the Council. There were five ayes and four nay votes. Councilman Randolph, Councilman Leashore, Councilwoman Crenshaw and Councilwoman Venter all cast nay votes.

IX. RETIRED CITY EMPLOYEES' COST OF LIVING ADJUSTMENT

President Evans stated this item has been discussed.

X. LIST OF CITY BOARD APPOINTMENTS

President Evans stated this item has been discussed and Mrs. Rudolph would have information at a later date.

XI. SALARY OF ST. JAMES HOTEL MANAGER THROUGH JULY 9TH

Councilman Williamson stated a resolution was passed to pay Mr. Armstrong \$3,500.00 for two weeks. Councilman Williamson stated according to the check register we have actually paid him \$6,500.00 in a three-day period. City Treasurer Cynthia Mitchell addressed the Council stated that when the City took over at the St. James, they had some contracts for banquets and needed cash or capital in order to fulfill their agreements. Ms. Mitchell further stated immediately following the \$3,500.00 the City had to provide them with \$3,000.00 check to purchase items, which he brought receipts and cash that amount to \$3,000.00.

XII. POLICE DEPARTMENT WAGES AND SALARIES

Councilman Williamson stated the City is overspent on this item and he will try to find out if the \$48,000.00 was paid out of the Police Salary budget.

XIII. GENERAL GOVERNMENT EXPENDITURES

Councilman Williamson stated general government line items are line items that the Council has to approve. Councilman Williamson stated to President Evans said he would have some recommendations for this issue. Councilwoman Crenshaw asked President Evans if he would get with Ms. Mitchell on the financial end of that issue and bring some information back to the Council. President Evans concurred.

BUSINESS ITEMS:

XIV. COMMUNITY DRUG AWARENESS

Councilwoman Crenshaw stated this would be extensive and maybe the Public Safety can meet with her on some recommendations she would like to make to come up with something to make the community aware. Councilwoman Crenshaw she would bring them at the next work session.

XV. VOTES TAKEN ON OCTOBER 2004

Councilwoman Crenshaw stated she would like to make an appeal to the Council, for a matter of record, the vote that was taken by each individual during the October 2004 vote, to poll each Council member. President Evans stated in 2004 a vote was taken by this Council to appoint Water Board members to the Water Board and there has been some discussion as to the validity of those minutes and she is asking each Council person, if you can recall, how they may have voted on this matter. Councilman Cain asked why are we voting when that was three years ago. *A motion was made by Councilman Williamson and seconded by Councilman Cain to table this item. A roll call vote was taken and the motion failed for lack of a majority vote. There were two ayes and seven nay votes. Councilman Williamson and Councilman Cain both cast a nay vote. An appeal was made by Councilwoman Crenshaw and second by Councilman Leashore that the Council members give a verbal quote of basically how you voted on the Water Board appointment of Councilwoman Crenshaw on October 4, 2004.*

A roll call poll was taken and the votes are as follows:

President Evans:	aye
Councilman Williamson:	nay
Councilman Cain:	nay
Councilwoman Martin:	aye
Councilwoman Allen:	aye
Councilman Randolph:	aye
Councilman Leashore:	aye
Councilwoman Crenshaw:	abstain
Councilwoman Venter:	aye

Councilman Leashore stated he asks for the same consideration to poll the Council on how they voted on his appointment to the Water Works and Sewer Board during the same time in 2004. Following discussion, a roll call poll was taken and the votes are as follows:

President Evans:	aye
Councilman Williamson:	nay
Councilman Cain:	nay
Councilwoman Martin:	aye
Councilwoman Allen:	absent
Councilman Randolph:	aye
Councilman Leashore:	abstain
Councilwoman Crenshaw:	aye
Councilwoman Venter:	aye

Councilman Leashore stated, for the record, that at the last Council meeting the Attorney brought forth the status and the laws, and those laws dictate when there are officers being appointed to any board, there must be a voice and the record must reflect how each Council person cast their vote and that is the law. Councilwoman Crenshaw stated one person was not polled on Mr. Leashore's behalf; Dr. Allen. Councilwoman Allen stated she is going to say that her vote will reflect whatever the minutes stated in 2004. Councilman Cain stated he would like to "piggy-back" what Councilman Leashore said that we have been handling things the same way since serving on the Council and the records do reflect who does not vote on for any decision that is made by this Council and you have been very consistent all the way through the process, and "I appreciate that Mr. President". President Evans stated the record will reflect that this poll was taken and certainly it, by no means, changes anything in the minutes of October of 2004. Councilwoman Crenshaw and Councilman Leashore asked for a consensus and we "opinioned it" on how we voted; he cannot explain what may come of this but it will take care of itself at the appropriate time. During the meeting Councilman Cain stated he wants to change his vote to reflect the same statement as per Dr. Allen, "that his vote will reflect whatever the minutes stated in 2004".

XVI. UPCOMING CITY GOVERNMENT MEETINGS, COMMITTEE MEETINGS AND CONFERENCES

President Evans asked if any meetings and/or conferences coming up to acknowledge. Councilwoman Crenshaw stated she has two to show cause as to why she attends and she will get the information to President Evans.

BUSINESS ITEMS:

XVII. SELMA PUBLIC LIBRARY UTILITY BILLS

President Evans stated this is a utility that the City pays on a rotating basis and this month is due to be paid; has been paid and need to be ratified and affirmed. *A motion was made by Councilwoman Martin and seconded by Councilman Randolph to ratify payment of the utility bills in the amount of approximately \$7,000.00. A roll call vote was taken and the motion passed with a unanimous vote of the Council.* President Evans the City pays this bill every three months.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE – Councilman Leashore, Chairperson

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 are attached.

COMMUNITY DEVELOPMENT COMMITTEE – Councilwoman Bennie Ruth Crenshaw, Chairperson

No Report.

PUBLIC WORKS COMMITTEE – Councilwoman Venter, Chairperson

Councilwoman Venter reported. Copy of minutes are attached.

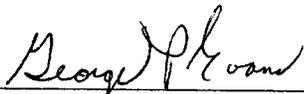
DISCRETIONARY FUNDS COMMITTEE – President Evans, Chairperson

No Report.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

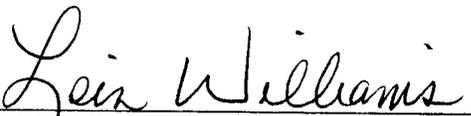
ADJOURNMENT

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



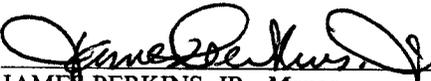
GEORGE P. EVANS, *Council President*

ATTEST:



LOIS WILLIAMS, *City Clerk*

APPROVED:



JAMES PERKINS, JR., *Mayor*