

MINUTES OF THE SELMA CITY COUNCIL
JANUARY 22, 2007
5:00 P.M.

Call to Order

Invocation: Reverend Demario Brown
Pastor, Isabella 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, January 22, 2007 at 5:00 p.m. with the following members present during roll call: Council President George Evans and Council members Cecil Williamson, Jean T. Martin, Geraldine Allen, Samuel Randolph, Johnnie M. Leashore, Bennie R. Crenshaw and Jannie M. Venter. Others present were Mayor James Perkins, Jr., Assistant City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Darlene Rudolph. President Evans stated Council member Cain works out of town and will be arriving shortly. Councilman Cain arrived at 5:16 p.m. City Clerk Lois Williams was absent due to illness.

APPROVAL OF AGENDA:

After review and discussion of the agenda items, a motion was made by Councilwoman Venter, and seconded by Councilwoman Allen, to approve the agenda as written. **The motion passed with a unanimous vote (show of hands) 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 January 8, 2007 regular meeting. A motion was made by Councilwoman Allen, and seconded by Councilwoman Venter, to approve the minutes as written. **The motion passed with a unanimous vote (show of hands) of the Council members present.**

CITIZENS' REQUESTS

Mrs. Sherry James
Re: Help and Assistance

Mrs. Beverley Cockrell
Re: Back-to-School Fest

CITY ATTORNEY'S REPORT - PUBLIC HEARING

A. **Public Hearing - Re-Zoning and Ordinance #O111-06/07.** President Evans stated at this time the meeting would deviate so that the public hearing of a Rezoning can take place, as well as, a report from Attorney Collins Pettaway needs to be presented. Attorney Nunn addressed the Council as it relates to the public hearing for the rezoning. Attorney Nunn stated if the Council recalls, he had requested the Council to have a public hearing as it relates to the zoning map being revised on property that is located on Bell Road. Attorney Nunn further stated that the proper procedures have been followed, and has gone before the Planning Commission, and the Planning Commission has made a recommendation before the City Council. Attorney Nunn also stated the City Council has approved it. Attorney Nunn stated the property at this time is zoned a M-2 Industrial, and the request, via the Ordinance, is for it to be re-zoned as a B-2. Attorney Nunn further stated it has been properly advertised in the newspaper prior to the Planning Commission meeting, as well as, in the newspaper prior to coming before the Council. Attorney Nunn also stated if Council recalls, it was placed on 1st Reading at the last Council meeting, and asked for a public hearing today at 5:00 p.m. Attorney Nunn passed out to Council the proposed Ordinance, #O111-06/07, an Ordinance to Make Certain Changes in the Present Zoning Map of the City of Selma, Alabama, and asked for the Petitioners to come forward at this time to address the Council. Attorney James McNeill addressed the Council on behalf of the current owner of the property, Circle S Industries (formerly Disco Aluminum). Attorney McNeill stated the property which is

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currently M-2 would allow for many business uses along Bell Road, as well as, Ravenwood which is being used now, but in addition to that, and what they are seeking, is to allow for apartments on the property, and that is the reason for the request. Attorney McNeill further stated the apartments would have more square footage than are normally designed for. Attorney McNeill also stated the property is located on Bell Road, the Mia Hamm Soccer Field, and has been there for many years and has not been developed, and now there is a use for it that he thinks will be of benefit to the City of Selma. Following discussion, a motion was made by Councilwoman Martin, and seconded by Councilman Cain, to adopt Ordinance O111-06/07. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

B. Selma Water Board Salaries and Appointments. Attorney Nunn stated the other issue of urgency deals with the Water Board Salary Process and the Appointment. Attorney Nunn stated several conversations and meetings have been held, including one involving the Attorney General's office. Attorney Nunn asked Attorney Albright and Attorney Pettaway to come forward and address the Council. Attorney Pettaway stated a Memorandum was being passed out to them, via Attorney Nunn, which is a synopsis of what was spoken about during the Conference Call held with the Attorney General's office; Assistant Attorney General Brenda Smith is over the Opinion's Division of the Attorney General's office, and offered the Opinion that is actually in question. Attorney Pettaway further stated the Conference Call was held because there was some discrepancy on the application of that Opinion, which centered around a lot of his objection as to how he understood and interpreted the law. Attorney Pettaway also stated during that Opinion they found out that the reason and the way the information that was given to President Evans and Attorney Nunn during their Conference Call with Mrs. Smith about the process of salaries of appointment members, was different than the way he understood it, because actually there was a new section of law that legislation had passed which amended a portion of the Constitution, that has not been codified, but is applicable, and in fact, started last year. Attorney Pettaway stated to Council that he had given them a synopsis in the Memorandum of what their conversation was during the Conference Call, along with a copy of the Attorney General's Opinion, and a copy of Section 68 of the State Constitution, the old version as written, and a copy of the new version that is in place, that amends a portion of the old version, along with copies of some Council minutes. Attorney Pettaway further stated based on all of that, and the Opinion: 1) it is clear that the Council sets the general salary of Water Board members with all Council members' participation and votes, which means all nine Council members participate and vote. Attorney Pettaway also stated this was discussed and agreed upon, and he thinks all of them agree with that. Attorney Pettaway stated this salary also applies to all Non-Council members on the Board. Attorney Pettaway further stated if Council would look at Number 5, the salary for Council members who serve on the Board is to be approved by the Water Board. Attorney Pettaway also stated: 2) salaries can be set at any time prior to the expiration of the next term due to expire, which is that change in the Constitution, and it will be effective upon the new or re-appointed member taking office. Attorney Pettaway stated the Water Board can have no more than three Council members that can serve on the 5-Member Board.

Attorney Pettaway further stated: 3) the Council needs to set a salary for the position of Chairman of the Board because the law states the Council sets the general salary and also sets the salary of who serves as Chairman. Attorney Pettaway also stated this was written to give the Council some type of control on the Board because it is a public corporation and the Council does have that "say so". Attorney Pettaway referenced copies of some minutes he included when he first approached the Board about trying to look at this issue, which was December 12, 2005, and the Work Session before, and on January 9, 2005, the Committee made its recommendation. Attorney Pettaway stated at that time the Council voted to not do anything, after some discussion about that. Attorney Pettaway further stated since Councilman Leashore is the Chairman now, he cannot vote on the salary because it does affect him directly. Following further discussion and questions, President Evans stated he thought Attorney Pettaway had done a thorough job in explaining this, and answered questions for clarification as best he could. Attorney Nunn stated, for clarification, when the Council sets that salary it will be the "cap"; it will be the "umbrella" that whatever the Water Board does, they have to come within that "umbrella". President Evans also stated if the Council does any setting of the salaries, it will not become effective until the next term expires, and the new person is seated, which will not be until 2008. Attorney Pettaway stated what Attorney Nunn stated for clarification is the process that he has advised the Water Board on, but he pointed out that the law did not say that it cannot be different, but the Attorney General has said that it has to be the same; whatever the Council sets is the "cap". Attorney Pettaway further stated he is going to advise the Board to stick with what the Attorney General has stated, in an effort to move forward on this. President Evans and the Council thanked Attorney Pettaway and Attorney Albright for coming to address the Council as it relates to this matter.

MAYOR'S REPORT

A. **Certificate of Service Awards.** Mayor Perkins stated there are some employees who have earned their Certificates of Service and he would like to present them at this time: Mr. Michael Pettus, Selma Fire Department, *Five Years of Service*, Mr. Arthur Grimes, Selma Fire Department, *Ten Years of Service*, and Mr. Timothy Watson, Selma Fire Department, *Twenty Years of Service*. Mayor Perkins stated he would like to thank each of them for their years of dedicated service to the City of Selma. The employees were also presented with Longevity Pins.

Mayor Perkins stated you may note the absence of Ms. Lois Williams, City Clerk. She has been hospitalized for most of the week, but she is out now and confined to bed rest. She is out of the hospital and doing well, and wants to extended prayers and best wishes for her to get well soon and come on back in! Mayor Perkins stated he also wanted to thank and express his appreciation to those who have inquired and made comments of well wishes to his wife Mrs. Cynthia Perkins. She is home and resting comfortably, and he really appreciates all of the expressions and concern received on behalf of her.

B. **First City Government Work Session.** Mayor Perkins stated he missed the first City Government Work Session held on January 18th, because of situations beyond his control, but he understands it went very well. Mayor Perkins further stated he wanted to thank Mrs. Darlene Rudolph for "chairing" the meeting, and all of the department heads and consultants who were there, for their participation. Mayor Perkins also stated a lot of detail was provided about everything that he will be presenting tonight. Mayor Perkins stated this was done so that the Council would be well versed as Council members on the issues that will be presented tonight. Mayor Perkins stated there have been some concerns expressed about him not having enough information timely, so he wanted to make certain that the Council would have this information and hopefully that has worked out well. Mayor Perkins further stated, in addition to the work session, copies of the materials were placed in the Council's mailboxes on the following day, and he hopes they have had an opportunity to review them, and as a consequence of that we will not have a lot of lengthy discussion and hopefully move through this process and get these transactions taken care of.

C. **Ordinance #O112-06/07 - Request for Approval of 2007 G.O. Warrant.** Mayor Perkins stated the first item on his agenda for this evening comes from the Finance Department that was presented by Ms. Cynthia Mitchell during the city government work session. Mayor Perkins further stated he thinks Ms. Mitchell responded to numerous questions about the 2007 G.O. Warrant that is being presented, and that there is a detailed packet in their packets, and he hopes they have had a chance to review it. Mayor Perkins asked Council favorable vote on this issue. A motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore to approve the said G.O. Warrant request. Councilman Cain asked if there were other banks involved in this process and contacted for a request for proposal on the bid process. Mayor Perkins answered that this is not a bid requirement. Councilman Cain asked if other banking institutions have been contacted to make sure we are getting the best rates available in the market place, "is that correct"? Mayor Perkins stated this not a bid requirement and we are working with a local bank. Councilman Cain asked if he could have an explanation on this issue. Mayor Perkins stated this was explained on the 18th and he really hoped that Council members would have been able to make the work session so that a lot of this would not be duplicated. Mayor Perkins stated the whole idea was to try to reduce the amount of this type of detail discussion, to make this information available and he will certainly try to continue this effort to make the information available so that the Council meetings are not so lengthy and can be as orderly as possible. During discussion, President Evans stated that in the event that a work session does not happen or all the Council does not show up, this meeting is the legal required meeting that all Council members must attend and this is where the Council takes care of business. Mayor Perkins responded stating in the last couple of meetings he was conveniently accused of not making information available timely and he has denied that categorically, and in every instance he has been accused of that he has gone the extra mile. Mayor Perkins stated, in this instance, he set up a city work session with all of the departments heads present to provide all details to any of the transactions he proposes during the Council session. Mayor Perkins stated all he asks at this time is that the Council votes the issues up or down and we can move forward. Councilwoman Allen then stated, for the record, she is not against neither the Mayor's work session, nor your meetings, Mr. President, but there are times that she cannot make meetings and there may be questions she may have even though she has read the information. Mayor Perkins further stated he is just the messenger of the people with the detailed information and he will try to continue to do the best he can to try to work with the Council, but he is convinced that it does not matter what he does, it is political season, and it's just not going to be enough, so whatever the Council does he is comfortable with whatever is offered to him. Councilwoman Allen further stated she may not have had a time or a point that she can call the office of President Evans or the Mayor's office and she just asks that indulgence, that if she is

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part of this Council and this is an official Council meeting that she should be given that right to ask a question. Councilwoman Allen also stated that it is not political with her and is just that she is trying to conduct the business of the City, and she thinks that is fair. Mayor Perkins stated he, too, is trying to conduct the business of the City. Also, during discussion, Councilman Cain stated there have been some questions that have been addressed about the General Obligations Grant, and he has some questions concerning them, for the purpose of conducting the Council business for clarity. Councilman Cain requested that the questions be made a part of the record that, some questions have been addressed about the General Obligations Warrant that he has asked, as well as Councilman Williamson, and since Mayor Perkins chooses not to answer them, that the Council allow Ms. Mitchell to answer the questions of what the May 1st deadline actually means, along with the \$350,000.00 that is to be paid on May 1st to Peoples Bank and Trust Company. Councilman Cain also asked if the City has a Warrant already in place, and is this a renewable Warrant? Councilman Cain stated that the Council needs some answers to those questions for clarity, and he is sure the Treasurer who is appointed by the Council can fully address very clearly to the Council. Mayor Perkins stated he had offered Ms. Cynthia Mitchell to come to the "Mic". President Evans concurred, and stated to Mayor Perkins that he changed his mind. Mayor Perkins stated he did not change his mind but that they went off, and started talking about issues concerning work sessions. Mayor Perkins further stated in his follow-up comment, he mentioned to Council that this really is about the Warrant, but they began talking about other matters. Mayor Perkins also stated when they talked about putting it on 1st Reading, he accepted that and said, we'll put it on 1st Reading; Mayor Perkins stated that was his position "30 minutes ago". Following a lengthy discussion, and in an effort to move forward, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to suspend the rules on the 2007 G.O. Warrant. **A roll call vote was taken and the motion failed due to nay vote of Councilman Williamson.** A motion was then made by Councilman Randolph, and seconded by Councilwoman Allen, to place Ordinance #O112-06/07, Ordinance Authorizing and Providing for the Issuance of a \$350,000.00 General Obligation Warrant of the City of Selma, Alabama, to be placed on 1st Reading, to be acted upon at their next Council meeting. Councilman Cain stated he would like to amend the motion to include his name (President Evans) as one of the required executed signatures, "In Witness Whereof", on the last page of Ordinance Number O112-06/07, wherein the Mayor's signature and that of the City Clerk's signature is on. President Evans stated he was going to pass on that one, and object to that amendment. President Evans further stated between now and the next meeting they should have had plenty of time to get all of the information and clarification that is needed for this Ordinance for the purpose of acting on in the next meeting. President Evans also stated Mayor Perkins has stated he would make the answers to the questions available to them, based on the questions asked by him (Councilman Cain), as well as, Councilman Williamson. President Evans stated he would hold to it that they would do that in order to get those questions answered prior to the next Council meeting so that that clarification can be cleared up prior to the next Council meeting. President Evans stated the questions that have been asked by Councilman Cain and Councilman Williamson, which have already been listed, be made a part of the record. **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 Councilwoman Crenshaw cast nay votes. Comments were made during roll call by Councilman Cain who stated he voted no because he would like to request a proposal form other banks to obtain some rates. Councilwoman Crenshaw stated during roll call that she votes no, based upon the fact that the Council needs to move forward and the issue needed to have been voted on tonight to be passed. Councilwoman Venter stated during roll call that she votes yes, not enough votes to carry it. Mayor Perkins stated, since the Council is stipulating that every word goes into the record, that he would ask that the Council forgives the Clerk's office for any delays in the production of the Minutes, especially since we have had that discussion before, and stated he just wanted to make that a part of the record.

D. Resolution #R122-06/07 -Ten (10) Year Revised Solid Waste Management Plan.

Mayor Perkins stated the Ten (10) Year Revised Solid Waste Management Plan was presented in detail on Thursday during the City Government Work Session. Mayor Perkins further stated information in its entirety was presented to Council, and he asks Council to favorably consider the same. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Venter, to approve the said Ten (10) Year Revised Solid Waste Management Plan, in the form of Resolution #R122-06/07. Following discussion, a roll call vote was taken and the motion passed with a majority vote of the Council. Councilman Cain cast a nay vote.

E. Resolution #R136-06/07 -O'Hara Place - Modification to the Drainage System.

Mayor Perkins stated Resolution #R136-06/07 deals with the O'Hara Place, modification to the drainage system across that property, going towards the river. Mayor Perkins asks Council favorable consideration of said Resolution. A motion was made by Councilman Leashore, and

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

F. **Good Samaritan Project.** Mayor Perkins stated the Council has on its agenda, discussions about the Good Samaritan Project, and also stated he is aware that there are interested parties on the Council who have expressed some concerns to terminate the contract between the City and the State, and to discontinue the health disparity initiative that we are working to try and help with our citizens in improving their health. Mayor Perkins further stated because this issue tends to have controversy around it, he would like to read into the record and document a letter received from Dr. Mona Fouad, Director of Minority Health and Research Center, and Professor of Preventive Medicine at UAB. Mayor Perkins read the letter received from Dr. Fouad in its entirety, as an effort to try to keep the Council updated as to progress being made. A copy of the letter is attached to the minutes. Mayor Perkins stated he would like to publicly thank UAB for their commitment to working with us on this Project, and look forward to their continued participation and support to reduce the health disparities of the citizens in our community.

G. **Resolution #R140-06/07 - Purchase of Track Equipment.** Mayor Perkins stated Resolution #R140-06/07 was presented by Coach Elton Reece and members of the Staff of Planning and Development, dealing with the purchase of track equipment for the 3-A/5-A AHSAA Track Meet. Mayor Perkins asks Council favorable consideration of said Resolution. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve said Resolution. Following discussion, a roll call vote was taken and the motion passed with a majority vote of the Council. Councilman Williamson cast a nay vote.

H. **Resolution #R138-06/07 - Fair Housing Resolution.** Mayor Perkins stated he trust that no one on the City Council would oppose the City establishing a position of ensuring fair housing in the City, complying with the Federal Fair Housing Laws. Mayor Perkins asks Council favorable consideration of said Resolution. A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve said Resolution. A discussion followed, and an amended motion was made by Councilman Williamson, and seconded by Councilman Cain, to delete paragraph three (3) of this Resolution. Mayor Perkins stated this is a requirement of ADECA to receive grant money related to housing; if it is not done the City will lose the opportunity to get money from ADECA to do housing projects in our community. Upon clarification, Councilman Cain withdrew his "second" of the amended motion made by Councilman Williamson. President Evans stated the "second" has been withdrawn; therefore, the motion failed for lack of a "second". **A roll call vote was taken and the motion passed with a majority vote of the Council. Councilman Williamson cast a nay vote.**

I. **Resolution #R139-06/07 - Authorizing the Adoption of Employer Assisted Housing Program.** Mayor Perkins stated Resolution #R139-06/07 Authorizes the Adoption of an Employer Assisted Housing Program, and reminded the Council that they committed to a pilot in the last fiscal year and also approved a line item appropriating funds for this program in this fiscal year. Mayor Perkins further stated what they are doing is acknowledging that the pilot has been a success, and we have employees who have benefited from the program, who have closed on their new homes. Mayor Perkins also stated they are very pleased about that, and this is most certainly going to increase the property tax base of our community. Mayor Perkins stated he ask Council to do a formal authorization of the adoption of this program, and asks Council favorable consideration of said Resolution. Councilman Williamson asked if it was his understanding of the program, is that they are giving people up to \$5,000.00 to buy a house, using public money? Mayor Perkins stated we give individuals public money to pay their health benefits; public money to pay their salaries; we give them public money for every benefit offered to employees, and stated to Councilman Williamson, that he was correct in that understanding, and this is no exception. President Evans asked if there were any other comments from anyone? Councilwoman Venter asked if she could ask her colleague (over there a question?), and asked Councilman Williamson if he was a member of the south league? President Evans asked, "Of the what league?" Councilwoman Venter responded, "of the south league, the league of the south?" President Evans asked, "What is that?" Councilwoman Venter stated to President Evans, she was asking Councilman Williamson. President Evans stated, he knew that, but would like to know what it is. Councilwoman Venter stated he could tell her "yes or no". Councilwoman Venter further stated she wanted his answer for the record. President Evans stated to Councilwoman Venter that she was out of order. Councilwoman Venter stated to President Evans, he had asked for additional comments. President Evans stated, "Yes, but comments pertaining to the question on the motion is not about anyone being a member of anything". Councilwoman Venter stated, he still could answer the question. President Evans stated they were not going to entertain that. President Evans further stated to Councilwoman Venter that she said she was for right, and asked a question

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like that. Councilwoman Venter asked what was wrong with the question? President Evans stated, "It's just like asking if he's a member of the Ku Klux Klan; a similar question". President Evans stated he was ruling Councilwoman Venter out of order and that was very inappropriate. President Evans further stated we would move on, and called for a roll call on the motion. A roll call vote was taken and the motion passed with a majority vote of the Council. Councilman Williamson cast a nay vote. During roll call, Councilwoman Martin made a request to correct the misspelling of a word in the second paragraph of said resolution.

J. **Resolution #R137-06/07 - Authorizing the Adoption of a Citizen Participation Plan for the City of Selma Community Development Program.** Mayor Perkins stated Resolution #R137-06/07 Authorizes the Adoption of a Citizen Participation Plan for the City of Selma Community Development Program, and asks Council favorable consideration of said Resolution. A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve said Resolution. During discussion, Councilman Cain asked, for clarification of the record, if the funds would be associated with the Community Block Grant Program or come through the grant process? Mayor Perkins stated as we request money from CDBG they require us to have certain things done, to do certain things; public participation is one of them and they want to know how we do it. Councilman Cain asked, "And that's paid through the grant?" Mayor Perkins stated the public participate and have discussions. Mayor Perkins further stated there is a comprehensive public participation plan attached to the resolution that was explained in detail, and stated he (Councilman Cain) has had copies of this, and he does not know how to answer his question but to suggest or refer him to the Plan. President Evans asked Mayor Perkins if he had made his final statement on this? Mayor Perkins replied, "Yes, I have". President Evans stated Mayor Perkins has made his final statement, and he did not answer the question one way or the other. President Evans stated, based upon what the minutes should reflect is that, you (Councilman Cain) asked the question, and Mayor Perkins chose to refer you back to the Plan. Councilman Cain asked "So, if it is coming out of the general fund, no other Council member is concerned about that except for me? . . . okay". Following discussion, a roll call vote was taken and the motion passed with a majority vote of the Council. Councilman Cain and Councilman Williamson cast nay votes. During roll call, Councilman Cain stated without knowing specifically where the funds are going to be coming from to pay for this program, he is going to have to vote no at this time.

K. **Resolution #R132-06/07 - Martin Luther King, Jr. Walking Tour - Improvements.** Mayor Perkins stated Resolution #R132-06/07 represents improvements to the Martin Luther King, Jr. Walking Tour. Mayor Perkins further stated the proposed improvements are to include reproduction of panels and stands along the Martin Luther King Walking Tour. Mayor Perkins asks Council's favorable consideration of said Resolution #R132-06/07. A motion was made by Councilman Leashore, and seconded by Councilwoman Venter, to approve said Resolution. Following discussion, a roll call vote was taken and the motion passed with a majority vote of the Council. Councilman Williamson cast a nay vote.

L. **Resolution #R133-06/07 - Acquisition of the Riverfront.** Mayor Perkins stated Resolution #R133-06/07 represents a continuation of the efforts to pursue the property along the Riverfront. Mayor Perkins asks Council's favorable consideration of said transaction and resolution, in the sum of \$1,500.00. During discussion, President Evans asked Mayor Perkins if he could authorize City Treasurer Cynthia Mitchell to basically give a balance of this account, to-date (Community Reinvestment Account)? Mayor Perkins stated, per Ms. Mitchell, the balance is \$139,000.00 as of January, 2007. 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 majority vote of the Council. Councilman Williamson cast a nay vote.

M. **Resolution #R134-06/07 - Revolving Loan Account - Judith C. VanDyke - Contract.** Mayor Perkins stated Resolution #R134-06/07 represents the Revolving Loan Contract with Judith VanDyke to perform consulting services specific to development of housing along targeted areas. Mayor Perkins asks Council's favorable consideration of said resolution. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to approve said resolution in the amount of \$2,500.00. Councilman Williamson asked why did they have to get somebody from out-of-town to do this, with all of the attorneys we got in Selma. Mayor Perkins stated the details of why Ms. VanDyke was chosen was embedded in the discussions that were provided on Thursday. Mayor Perkins further stated he is simply presenting the information that was provided on Thursday, and asking Council's favorable consideration. Councilwoman Crenshaw stated that was one of her questions to Mayor Perkins by phone, and she was able to get her question answered. Councilman Cain stated if the Mayor is not going to answer any of the Council's questions they need to do something that is different. Councilman Cain further stated this is inappropriate; they are there to conduct a business meeting, and if the Mayor does not know the answers, that's fine; "he can just let us know that he doesn't know the answers". Councilman

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Cain stated, "otherwise, they may need to look at calling some department heads, or some people in this City that may know the answers, and who will answer the Council's questions". Councilman Cain further stated they are responsible for the City's finances and property, and he does not think that any question by any Council member is inappropriate, "and he's been consistently denying answering questions to myself, to other Council members, and to yourself, Mr. President, and that's very inappropriate. Thank You". Mayor Perkins stated, "Here goes the misinformation again". Mayor Perkins further stated the information was provided in detail, and he is confident that they made every effort to try to answer every question that was presented to them timely; at this point, he is not in a position. Mayor Perkins stated he said to the Council when he got there that he was prepared to present what he had, to ask them to vote it "up or down", and then take his seat. Mayor Perkins further stated any questions that they had he would be glad to take them to make sure the appropriate people answer them, and get the Council the information at the appropriate time. Mayor Perkins stated that is the best that he can do. Councilman Cain stated, "Again, this is the official record of the business of the City of Selma and when questions are addressed to any official of the City they ought to be answered to, Mr. President". President Evans stated to Councilman Cain that he knew he has asked some questions, and Mayor Perkins has indicated that he would get those answers back to Council members in a timely manner, and he is sure he will do that. President Evans stated, the other part of all of this is, they, as Council Members, have to keep in mind and really seriously understand that there has got to be a better way to do this and they need to find a way to work through that. President Evans stated to Council that he would be happy to meet with them and Mayor Perkins to try and resolve the issue surrounding Work Sessions because they are important and are needed. President Evans further stated, "we as men and women ought to be able to come together and compromise on what it would take to have a Work Session like we've been having for the purpose of providing information to everybody". President Evans also stated he is willing to meet anybody half-way on trying to find a way to resolve this. Councilman Cain stated, "again, I hear what you are saying, Mr. President, but we are voting on this right now". Councilman Cain further stated that is the problem he has with it, "they're having to make a decision on something right now, and we're not getting the courtesy to have the questions of Council Members answered and that's inappropriate. Thank you." President Evans stated to Mayor Perkins unless he had an additional statement to make he would move forward and call for the vote. Mayor Perkins asked for President Evans to proceed with calling for a vote. **A roll call vote was taken and the motion passed with a majority vote of the Council. Councilman Williamson cast a nay vote.**

N. **City Government Work Sessions.** Mayor Perkins stated he finds it necessary to have to bring to Council's attention to correct the misinformation that was provided to the public and he is amazed at how people make statements that are simply not true. Mayor Perkins stated he brings to Council's attention, the 4th paragraph in the statement that he issued specific to the City Government Work Sessions, and each Council member was provided a copy of it, as well as, a copy was released to the public, at large. Mayor Perkins read the statement in its entirety; as follows . . . "The format of this meeting will be chaired by the Mayor. The Department Heads and Mayor will be seated at the podium where they can have access to microphones and face meeting attendees, while presenting information and responding to questions and comments. The City Council Members and Citizens are invited and strongly encouraged to attend. The City Council Members and Citizens will be given an opportunity to ask questions and make comments under general rules of civil governance as prescribed by the Mayor with the idea being to encourage open and civil dialogue." Mayor Perkins further stated any statement made here tonight, that they were not invited, is simply not true. Mayor Perkins stated his opinion about this, based on the results of this meeting, when the Council decided to stop trying to figure out why he was doing it, and challenging what he was doing, at the end of all of that, his opinion is that he would say that things went fairly well. He would also say to the Council that, all things reported back to him about the City Government Work Session, is that things went extremely well there, also. Mayor Perkins further stated he is concerned now that because things are going well, now there is an effort to dismantle this process. Mayor Perkins also stated, "I am really trying hard to make the information available to the Council and to the Citizens; departments are open and fully disclosed - I can't help it if folks live out of town and work out of town - no disparity and comments on anyone - but I do recall that when the Council President called Work Sessions that those individuals who worked out of town tried to get here - Dr. Allen says she tried to get here but she couldn't make it. She makes most of them; that's fine, but if you want to have detailed dialogue about these transactions I've done my part and those who can't make the meetings I've given you all of the written documentation prior to the meeting so that you can peruse it over the weekend and give me a call on Monday, and we can deal with whatever issues you may have". Mayor Perkins stated he would like to thank the Council for the civil way that they have handled this, and he looks forward to next Thursday's Work Session so that they can continue to provide the details

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of these transactions to the Council and to the citizens, and hopefully they can maintain this level of civility. Thank you."

President Evans stated, his question would be, can the two of them get together and talk about this because he thinks they are making a grave mistake in having a separate Work Session like that. President Evans further stated the Council for the past 6 years has already established the first and third Thursday for Work Sessions when Council needs one - "doing it the way you're doing it is based upon what you thought I said in terms of I would not have another -- that's what I read out of the paper and that is not what I said - I have demonstrated to you (Mayor Perkins) that I would have them only when necessary - when any Council member wanted one, you or I. Why can't we get together and resolve this matter as Council Member and Mayor for the purpose of creating harmony, or do we just continue this split? President Evans asked "it's not about a form of take over when you go and take over a meeting to have something, when you thought I said something?" President Evans also stated, "If I had misquoted you Mayor Perkins and said something that you said and you didn't, I would've come here and apologized - I would've said Mayor Perkins, Council Members, I made a mistake; I thought I heard you say and I would retract my remarks - I have chosen always to do that - I've apologized to you on many occasions when you've brought it to my attention that I was wrong - why is it so difficult for you to admit that "we may have made a mistake here in terms of what you interpreted". President Evans stated the minutes reflect specifically from the tape that I did not say that - so, why can't we come together and do what's best for the City and not have it locked in among the ten of us in terms of what happens?"

Mayor Perkins stated to President Evans he guess he is confused because one of his own colleagues has indicated that he told them he was not going to have another one. Mayor Perkins stated to President Evans, "It was said more than once, and it's not what you said in the meeting, and I acknowledge that's not what you said in the meeting but quite frankly, Mr. Evans, if you're the Chair, whenever you said it, it does not matter at this point how you said it - I think what matters at this point is that what we have done has worked so if you're interested in compromising, come to the session - be informed and work through the process - if it works, and it obviously worked this evening, let's continue". Mayor Perkins further stated to President Evans, "you said that you didn't want to deal with all that foolishness and nonsense - at that point I simply said well, let's just try something else. Well, we've tried it; it works. If you are truly interested in trying to work together, then try this for a while - come to the meeting - you didn't make it, and you probably had a legitimate reason for not coming but come and see for yourself before you make the presumption that this is something that's targeting you - the only thing that I've done is tried to do my job. I don't want the public coming telling me that somebody said that I am withholding information from the Council, and I don't make information available to you timely, and all of this. In order to avoid being falsely accused, I've simply taken it upon myself to create a forum whereby I can control and influence the fact that I know that we've provided the information and everybody can see it - and then if you come to this meeting and say that you don't have what you need, it's not James Perkins' fault - and that's all I have done". Mayor Perkins also stated, "I've not done anything to target Mr. Evans or this Council - I've simply said that it is my responsibility to make sure that the information is available - have made all of the departments available, even after the meeting, and quite frankly I don't know what else I can do."

President Evans stated he appreciated Mayor Perkins' comments and all of the applause but he still says Mayor Perkins owes him an apology but he'll probably never give it to him because "I never said what you said - fact is, I'll move on from here - citizens can judge this how they want - I believe Christian men ought to be able to sit down and work through something like this especially when a precedence has already been set - if it was some other day than the Thursday that's already been set, I'd say that's something that he wants to do but you chose to take the Thursday that the Council has already set to do what you want to do for whatever you wanted to do. If you think it's right that's your personal business but I think it's wrong personally - I'll have to answer for that myself on that day, so will you; it's not personal, it's business." Mayor Perkins stated he hopes his opposition is not because it's not working. President Evans stated, "that's not it - when they had Work Sessions all department heads were not there - they may have come once or twice - when they came the Council didn't have the authority to ask them questions - they were asked certain questions and they were not approved to be answered. All that's changed now - but if all of the department heads can be at the meetings you are calling now, then why couldn't they be at the meetings we were holding? Here again, you've made up your mind about this."

Councilwoman Crenshaw stated to President Evans, she does know that if they have requested any department head for anything specific; Mayor Perkins has provided those department heads for them to talk with. Councilwoman Crenshaw further stated Mayor Perkins took the position to insulate department heads because they were being harassed. Councilwoman Crenshaw asked, "Why is it that we have not asked for them?" President Evans stated to Councilwoman Crenshaw, when he issued a memo to the Mayor about department heads being

MAYOR'S REPORT

here at Work Sessions, Mayor Perkins responded back, stating "he had no authority". President Evans stated "by their own ordinance it stipulates the City Council President can request this of a department head - but, the dialogue got out of hand, and he left it alone". Councilwoman Crenshaw stated Mayor Perkins is in control of Personnel. Councilwoman Crenshaw further stated she would like to see City Government Work Sessions continue because most of the information tonight has been dealing with Mayor Perkins - almost 2 hours to present 8 items.

CITY ATTORNEY'S REPORT (CON'T)

A. **Ordinance - #O122-04/05 - "The Leash Law"**. Attorney Nunn presented Council with copies of Ordinance #0122-04/05, *The Leash Law*. Attorney Nunn further stated this Ordinance was passed on July 11, 2005, and also stated if Council has questions after reading over it, he is available to answer any questions they may have.

B. **Ordinance #O112-06/07 - Livestock**. Attorney Nunn stated Ordinance #O112-06/07, the Livestock Ordinance, is a Draft that they finished revising on today. Attorney Nunn asks Council to read over this Ordinance, and get back with him for discussing during the next Council meeting, or during one of the Work Sessions, to see what changes need to be made to it. Attorney Nunn stated Mayor Perkins has also mentioned that once this Ordinance comes up for discussion, that they need to keep in mind about the resources to enforce the Livestock Ordinance.

C. **Invoice for the Public Works Department**. Attorney Nunn stated to Council that they should have before them an invoice for the Public Works Department. Attorney Nunn further stated if Council recalls Alcoholic Beverage License Signs were done, and if they had an opportunity to visit one of the sites on Washington Street, they could see how nice they are. Attorney Nunn also stated we need two (2) more of the frames for those signs, and the cost is \$290.00, which would come out to be about \$25.00 or \$30.00 per Council member, out of their discretionary fund or Special Projects Fund. Attorney Nunn asks Council members for their assistance in the purchase of these frames. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve said invoice in the amount of \$35.00, for the purpose of paying for the frames of these signs. **The motion passed with a unanimous vote (show of hands) of the Council members.** (Councilwoman Crenshaw asked President Evans to ask Ms. Diana Johnson to pass the list around for them (Council members) to sign.

D. **Invoice for Alabama Municipal Insurance Corporation (A.M.I.C.)**. Attorney Nunn stated to Council that they should have before them an invoice from A.M.I.C. in the amount of \$3,266.87, which represents Five (5) claims, which were settled in the best interest of the City. Attorney Nunn further stated this is procedural, and is always brought before the Council for approval of the same. A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve said payment. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

E. **Invoice for Alabama Municipal Insurance Corporation (A.M.I.C.)**. Attorney Nunn stated to Council that they should have before them an invoice from A.M.I.C., which has been requested several times by Council members, in the amount of \$13,631.62. Attorney Nunn further stated to Council if they recall this invoice deals with the Tower Suit, which had been put on the Agenda several times, and we finally got an invoice for the total amount as of the date of the invoice. Attorney Nunn also stated this is an invoice from our Attorneys, via the insurance corporation. Following discussion, a motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve said payment, in the amount of \$13,631.62. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

F. **Liquor License Applications**. Attorney Nunn stated the following liquor license applications were placed on 1st Reading by the Council at the last Council meeting, and he is asking for initial approval at this time:

(1) A-Z Food Mart, 2301 Broad Street - Mr. Elia Sidhom.

A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve said initial liquor license application. **The motion passed with a majority vote (show of hands) of the Council.** There were six aye votes, two nay votes, and one abstention. Council members Cain and Williamson cast a nay vote. Council member Venter abstained from voting.

(2) Blues 24/7, 102 Washington Street - Mr. James Brown.

A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve said initial liquor license application. **The motion passed with a majority vote (show of**

CITY ATTORNEY'S REPORT

hands) of the Council. There were six aye votes, two nay votes, and one abstention. Council members Cain and Williamson cast a nay vote. Council member Venter abstained from voting.

(3) Mickey Rats, 1215 Alabama Avenue - Mr. Fred Chaney.

A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve said initial liquor license application. The motion passed with a majority vote (show of hands) of the Council. There were six aye votes, two nay votes, and one abstention. Council members Cain and Williamson cast a nay vote. Council member Venter abstained from voting.

(4) Fire Side Inn, 700 Idaho Street - Mr. Christopher Davis (Police Jurisdiction).

A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve said initial liquor license application. During discussion, a motion was made by Councilman Williamson to table this liquor license application. The motion failed for lack of a second. President Evans stated the Council would now vote on the original motion. The original motion passed with a majority vote (show of hands) of the Council. There were six aye votes and two nay votes. Council members Cain and Williamson cast a nay vote. Council member Venter was absent when the vote was taken.

G. Lease Agreement - May 7, 2005 City of Selma Municipal Corporation and the Alabama Department of Economic Community Affairs (A.D.E.C.A). Attorney Nunn stated this lease agreement dealt with the Good Samaritan Hospital, from May 7, 2005 through May 8, 2006. Attorney Nunn further stated, it is understood between both parties, The City of Selma and A.D.E.C.A., that unless the Tenant, the City of Selma, at least three months prior to termination, give notice to Lessor of its intention to surrender the leased premises by the fixed date, upon failure of the Tenant to give such notice, be deemed to be and shall be automatically renewed and extended for a further term of One (1) year. Attorney Nunn also stated the termination date is May 8, 2006. Attorney Nunn stated if the City of Selma wants to continue with the lease agreement we do not do anything, but if the City wants to do anything we have to do it prior to February 8th. During discussion, a motion was made by Councilman Leashore, and seconded by Councilman Leashore, to let the contract re-new itself, remaining the same as it is, with no change in the contract. Following discussion, an amended motion was made by Councilman Cain, and seconded by Councilman Williamson, to terminate the lease agreement until a more concrete plan is obtained and presented before this Council. A roll call vote was taken and the motion failed for lack of a majority vote of the Council. There were two ayes and seven nay votes. President Evans, Councilwoman Martin, Councilwoman Allen, Councilman Randolph, Councilman Leashore, Councilwoman Crenshaw and Councilwoman Venter all cast a nay vote. President Evans requested a roll call on the original motion to opt to not take any action, and to allow the lease agreement with Good Samaritan to extend and fulfill itself, remaining the same as it is, with no change in the contract. A roll call vote was taken and the motion passed with a majority vote of the Council. Councilman Cain and Councilman Williamson cast a nay vote. Comments were made during roll call: Councilwoman Allen stated since the contract remains the same, and the City is not losing anything, she votes yes; Councilman Leashore stated since this inception, this has been a very positive project for the City, and because of the historical nature of Good Samaritan itself, he emphatically votes yes; Councilman Crenshaw stated she votes yes, with the understanding that this project was brought to the table some time ago, and she thanks Mayor Perkins for embracing it, and they are going to move forward getting some health care for our people here in this City.

H. Liquor License Application - Triple M Food Mart, L.L.C. - Mr. Issa Abualhaija.

Attorney Nunn asked that the above-referenced liquor license application be approved to be placed on 1st Reading. A motion was made by Councilman Leashore, and seconded by Councilwoman Martin, to place the said liquor license on 1st Reading. The motion passed with a unanimous vote (show of hands) of the Council.

I. Ordinance - Return of Appointment Powers. Councilman Williamson stated to President Evans that some time ago he had requested of Attorney Nunn to draft an ordinance to return the appointment powers. President Evans stated he has spoken with Attorney Nunn and he will have the information drawn up as it relates to appointment powers for the Council.

President Evans asked if there were any other questions for Attorney Nunn?

Councilman Williamson asked Attorney Nunn if the City has received any bills as it relates to the Sanders' lawsuit, and Attorney Nunn stated we have not.

Councilwoman Allen asked Attorney Nunn about an update on the St. James Hotel - Restaurant. Attorney Nunn stated he would provide an update at the next Council meeting. Mayor Perkins stated, to his knowledge, the Restaurant is still closed, and there are some

CITY ATTORNEY'S REPORT

negotiations going on at this time. Mayor Perkins further stated as soon as he hears from Mr. Striplin about the details, he will ask that he come before the Council to present those details about whatever they are working on right now.

Councilwoman Martin asked Attorney Nunn about an ordinance as it relates to parking vehicles on lawns. Attorney Nunn stated he would research this, and report back to the Council.

Councilwoman Venter asked if the City still has a Litter Control Officer? Mayor Perkins stated Chief Martin and he were working on something to present to the Council, specific to that. Mayor Perkins further stated part of that recommendation is to expand that position from just "litter" to "all code". Mayor Perkins also stated he thinks Chief Martin and Ms. Valeria Jones will be in a position to "brief" him in detail about that, by the next Work Session, and he encourages Council members to attend.

BUSINESS ITEMS:

I. COUNCIL'S WORK SESSIONS

President Evans stated the Council's Work Session would be held on February 8, 2007, at 5:00 p.m. President Evans further stated if anyone objects to that, let it be known. Councilman Williamson asked, "where will it be held?" President Evans stated it will be in the Council Chambers. Councilman Williamson stated Mayor Perkins has already reserved the Council Chambers. President Evans stated the City Council has jurisdiction and they have a right to have the meetings there. President Evans asked for a vote on this matter. A motion was made by Councilman Williamson, and seconded by Councilman Cain, to have the Work Session on February 8, 2007, at 5:00 p.m., in the Council Chambers. Councilman Leashore stated to President Evans, since there is a dilemma that they are faced with, he would ask that President Evans and Mayor Perkins come together and resolve this issue. Councilman Leashore further stated he respectfully requests that he rules the motion to be out of order, and that he (President Evans) get with Mayor Perkins, after this meeting, or tomorrow morning. Councilman Leashore also asks that there be no more discussions about who is going to hold jurisdiction, or who is going to hold their meeting, until a meeting is held between he and Mayor Perkins. Councilman Leashore stated he respectfully request that he (President Evans) does this, and feels if he does, they can come to a happy "resolve". Councilman Leashore stated he thinks this issue has gone too far, and would hope that President Evans would honor what he is asking, in an effort to move on. President Evans stated he does not have a problem with that, and would try that because he proposed that initially, in an effort to compromise. President Evans withdrew the motion, stating he would like to try meeting with Mayor Perkins, in an effort to resolve this issue. Councilwoman Crenshaw stated she agrees wholeheartedly, that the work sessions need to be productive. Councilwoman Crenshaw further stated, no disrespect to their Council at all, meeting with the department heads at that work session was very nice; it was really productive. Councilwoman Crenshaw also stated she felt like she was a part of directing things to people, and getting some answers, and she does not do that when she is at their work sessions. Councilwoman Crenshaw stated if what she observed at the Work Session on last Thursday can happen with their work sessions, being productive, getting things done, she really would like to see it happen. Councilwoman Allen stated to President Evans that she ask for he and Mayor Perkins to sit down and compromise. Councilwoman Allen further stated she asks that they do that and move on, because we can work together. President Evans stated to Mayor Perkins if he would give him a time that he is available, he will come by his office to meet with him on tomorrow. President Evans asked Mayor Perkins if his secretary could give him a call to let him know of a day and time, about a couple of day's notice, he would make himself available, and would be happy to come by to meet with him to sit down and discuss it.

II. MICROBOARDS COPYWRITER LIVE CD WRITER UPDATE

President Evans stated he did meet with Mayor Perkins as it relates to the CD Recorder, but an emergency came up at that time, and Mayor Perkins had to leave. President Evans further stated they have not gotten back together yet to try and finalize this matter. President Evans stated he hopes during the meeting that will be held with Mayor Perkins they can talk about the CD Recorder at that time.

III. SPEED BUMPS.

Councilwoman Venter stated speed bumps need to be placed in the 2200 and 2300 Block of Hardie Avenue. Councilwoman Venter stated she has a petition with the names. President Evans

BUSINESS ITEMS:

asked that Councilwoman Venter forward the petition to the Mayor's office, and it will be channeled through the other processes. Upon review, the petition will come back to the Committee for final approval.

IV. ADJUSTING SALARY OF COUNCIL SECRETARY

President Evans stated this item will be referred to the Administrative Committee for the purpose of reporting back a recommendation to the Council.

V. ASSASSINATION PLOT OF POLICE CHIEF JIMMY MARTIN STATUS UPDATE

President Evans asked Attorney Nunn for an update on the assassination plot. Attorney Nunn stated the two young men in this case pled guilty, and the other charges are still pending investigation in the DA's office.

VI. LEAKS IN PUBLIC SAFETY BUILDING

Councilman Williamson stated it was his understanding that after the hard rain we had about a week ago it caused the building to leak. Mayor Perkins stated a package has been prepared and they will go over it Thursday at the Work Session.

VII. RESOLUTION - JUDGE JOHNNY JONES' RETIREMENT

Councilman Williamson asked if the Council could do a letter to Judge Jones, wishing him well on his retirement. A motion was made by Councilman Williamson, and seconded by Councilman Leashore, to do a letter on behalf of Judge Jones, wishing him well on his retirement. **The motion passed with a unanimous vote (show of hands) of the Council.**

VIII. RESOLUTION - KIM BALLARD - TAKING OFFICE

Councilman Williamson asked if the Council could do a letter to Mr. Kim Ballard, wishing him well as Probate Judge? President Evans asked Mayor Perkins if he and the Council could do a joint letter to both Judge Jones, as well as, newly appointed Probate Judge Kim Ballard? Mayor Perkins stated he had already initiated something, but that he would be willing to "craft" the language in working with the Council for a joint resolution and/or letter to Judge Jones and newly appointed Probate Judge Ballard.

IX. PERSONNEL RULES

Councilman Williamson stated he placed this item on the agenda because he needed some clarity. He went to a personnel hearing last week and seemingly we have a rule that does not seem very fair to him, that the person who suspends a person makes a recommendation for suspension. Councilman Williamson also stated that they had a hearing and then that person gets to make a decision as to whether his recommendation is carried out, and it seems like the same person is the prosecutor and the judge. Councilman Williamson would like to see this issue looked into and having a neutral third person to be the hearing officer. President Evans asked the Administrative Committee, via Mayor Perkins' office, to get a copy of the rules and research this matter, and report back to the Council.

X. SELMA WATER WORKS BOARD APPOINTMENTS

President Evans stated Attorney Pettaway had given them a lot of dialogue and background history on this matter, and asked the Council's position on this. A motion was made by Councilman Leashore, and seconded by Councilwoman Venter, to appoint Councilman Randolph to the Water Board. Another motion was made by Councilman Williamson, and seconded by Councilman Cain, to appoint Councilwoman Allen to the Water Board. President Evans asked if there were any other nominations? President Evans then asked for a "show of hands" in favor of Councilwoman Allen being appointed to the Water Board? There were Five (5) Council Members in favor of Councilwoman Allen. President Evans asked for a "show of hands" in favor of Councilman Randolph? There were Three (3) Council Members in favor of Councilman Randolph. President Evans stated Councilwoman Allen ruled by a vote of Five (5) to be placed on the Water Board by the Council.

BUSINESS ITEMS:

XI. SELMA WATER WORKS BOARD CHAIRMAN SALARY

President Evans stated the Council needs to vote on the Chairman of the Water Board's salary. President Evans further stated the current salary is \$25,000.00, and the Council has the jurisdiction to amend that salary. A motion was made by Councilman Williamson, and seconded by Councilman Cain, to set the salary for Water Board Chairman at \$900.00 per month. An amended motion was made by Councilwoman Venter, and seconded by Councilman Randolph, to leave the salary where it is at \$25,000.00, and remain what it is at this point. President Evans asked for a "show of hands" of all in favor of leaving the Water Board Chairman's salary at \$25,000.00. There were Four (4) in favor of leaving the salary where it is now. President Evans then asked for a "show of hands" of all opposing leaving the Water Board Chairman's salary where it is now at \$25,000.00. There were Four (4) in opposition of leaving the salary where it is now. **The vote was tied; Four (4) ayes and Four (4) nay votes.** President Evans asked for a "show of hands" of all in favor of setting the salary at \$900.00. There were Four (4) in favor of setting the salary at \$900.00, and Four (4) in opposition of setting the salary at \$900.00. **The vote was tied; Four (4) ayes and Four (4) nay votes.** Councilman Leashore asked if the former Water Board Chairman can come forward and report to the Council the benefits that were afforded to him as a Water Board member. Councilman Leashore stated the benefits that are allotted there as Water Board Chairman are well earned. Councilman Leashore further stated and read City Council meeting minutes of December 12, 2005, in their entirety. President Evans stated at this point the vote is tied unless it is brought back before the Council for a vote.

XII. RE-APPOINTMENT TO SELMA PUBLIC LIBRARY BOARD

President Evans stated Ms. Kathryn Windham's appointment has expired, and asks the Council needs to make that appointment. A motion was made by Councilwoman Martin, and seconded by Councilman Randolph, to re-appoint Ms. Kathryn Windham back to the Selma Public Library for a term of six (6) years. **The motion passed with a majority vote (show of hands) of the Council. Councilman Leashore abstained. Councilwoman Crenshaw was absent when the vote was taken.**

XIII. ELECTED CITY SCHOOL BOARD PROCESS AND PROCEDURE

President Evans stated Attorney Nunn is still working on this matter, and when he gets it all together he will come and report back to the Council, during the next Council meeting.

XIV. ALCOHOLIC BEVERAGE LICENSE COMMITTEE (PUBLIC SAFETY)

President Evans asked for Public Safety Committee to take this matter on, to see what needs to be modified and/or amended as it relates to the current Alcoholic Beverage License Ordinance that is presently in place.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Leashore, Chairperson

No Report.

ADMINISTRATIVE COMMITTEE - Councilman Dr. Cecil Williamson, Chairperson

Minutes of the meeting were distributed by Councilman Williamson. They are attached.

President Evans stated it is his understanding that in order for a person to be appointed Judge that person has to receive Five (5) votes. President Evans further stated at this point he would like to have roll call, to the vote on the Judgeship for the City of Selma, and will tally the votes by name, and not by number; President Evans also stated to Council that he needs for them each to vote for one (1) candidate of choice:

President Evans	-	Attorney Prince Chestnut
Councilman Williamson	-	Attorney Prince Chestnut
Councilman Cain	-	Attorney Vaughan Russell
Councilwoman Martin	-	Attorney Prince Chestnut

STANDING COMMITTEE REPORTS

Councilwoman Allen	-	Attorney Prince Chestnut
Councilman Randolph	-	Attorney Prince Chestnut
Councilman Leashore	-	Attorney Prince Chestnut
Councilwoman Crenshaw	-	Attorney Prince Chestnut
Councilwoman Venter	-	Attorney Prince Chestnut

President Evans stated Attorney Prince Chestnut received Eight (8) votes, as newly appointed Municipal Judge. President Evans further stated Mayor Perkins would have the option to place Attorney Chestnut in the order in which he chooses to in terms of Presiding Judge. President Evans stated to Mayor Perkins that Attorney Prince Chestnut would be the person the Council recommends to him. President Evans further stated the Council congratulates Attorney Prince Chestnut as being the City's new Judge for the City of Selma, and wishes him well. A motion was made by Councilman Cain, and seconded by Councilwoman Martin, to install Attorney Prince Chestnut as the City's New Judge for the City of Selma. **The motion passed with a unanimous vote (show of hands) of the Council.**

PUBLIC SAFETY COMMITTEE - Councilwoman Dr. Geraldine Allen, Chairperson

No Report.

COMMUNITY DEVELOPMENT COMMITTEE - Councilwoman Bennie Ruth Crenshaw, Chairperson

No Report.

PUBLIC WORKS COMMITTEE - Councilwoman Venter, Chairperson

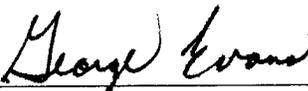
No Report.

DISCRETIONARY FUNDS COMMITTEE - President Evans, Chairperson

President Evans stated there are about five or six gifts to give out, and Ms. Diana Johnson has the discretionary requests.

ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilman Cain, and seconded by Councilwoman Martin, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 9:27 p.m.



GEORGE EVANS, *Council President*

ATTEST:



LOIS WILLIAMS, *City Clerk*

APPROVED:



JAMES PERKINS, JR., *Mayor*