

**MINUTES OF THE  
SELMA CITY COUNCIL  
MARCH 24, 2008  
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, March 24, 2008 at 5:00 p.m.

**ROLL CALL**

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

**APPROVAL OF AGENDA**

President Pro Tempore Martin asked for the approval of the agenda items. A motion was made by Councilman Williamson and seconded by Councilwoman Venter to approve the agenda as written. The motion carried with a majority (show of hands) vote of the Council members present. Councilman Leashore cast a nay vote.

**APPROVAL OF MINUTES**

After approval of the agenda, President Pro Tempore Martin also asked for a motion to approve the minutes of the March 17, 2008 Regular meeting. Following a brief discussion, a motion was made by Councilman Cain and seconded by Councilman Williamson to continue the minutes of March 17, 2008 until the next meeting for review. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

President Pro Tempore Martin asked for a motion to approve the minutes of the March 4, 2008 Reconvened meeting. Following a brief discussion, a motion was made by Councilman Leashore and seconded by Councilman Randolph to approve the minutes of March 4, 2008. A roll call vote was taken and the motion passed with a majority vote of the Council members present. Councilman Cain abstained from voting.

**CITY ATTORNEY'S REPORT**

**A. Statements As Part Of City Council Meeting Minutes.** Attorney Nunn read as per letter drafted to the Council as it relates to statements as part of city council meeting minutes, which he stated was done after he spoke to the Alabama League of Municipalities. Attorney Nunn further stated that he feels this issue has become a moot point at this time, due to the fact that she (City Clerk Lois Williams) has already included the statement within the minutes, however, the Council may want to establish a committee to discuss a policy as it relates to statements or documents made by the Council, citizens, or in this case, the City Clerk, to be a part of the minutes. During discussion, President Pro Tempore referred this issue to the Administrative Committee.

**B. Elected vs. Appointed School Board.** Attorney Nunn stated the Council should have received packages over the weekend, which contained information regarding the proposed legislative bill as it relates to an Elected vs. Appointed School Board. Attorney Nunn further stated that there are two proposed amendments to the bill during this process: (1) page 7 section 11; dealing with the "Chair" voting on all matters; the recommendation by Councilman Leashore is to vote on matters only in the event of a tie; (2) page 6 section 7; dealing with filling a vacancy on the board of education; the recommendation is to have the vacancy filled by the Council instead of the school board. Attorney Nunn stated that he would research the State law and inform the Council how it is done at the present time. After doing so; later in the meeting, during further discussion (section 16.11.2a), a motion was made by Councilman Leashore and seconded by Councilman Randolph to approve the proposed amendment to the said bill for the City Council to fill any vacancy on the school board. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present. Another motion was made by Councilman Leashore and seconded by Councilwoman Venter to approve the proposed amendment to the said bill for the presiding officers of the school board to only vote on issues in the event of a tie.

CITY ATTORNEY'S REPORT

A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were five affirmative votes and one nay vote. Councilman Cain cast a nay vote. It was further stated by a majority of the Council that if the amendments could not be included in the bill, then move forward to proceed with it as it is drafted.

C. Donnie Roy's Night Club. Attorney Nunn stated that Mrs. Stewart of Donnie Roy's addressed the Council at the last meeting at which time she discussed issues as it relates to opening the club for a "repass", however, he did receive a call from her stating that they decided to hold the "repass" at a different location and there was no need for the officers to patrol the area. Attorney Nunn further stated he has drafted a letter to her asking that they provide contact information and an agreement as it relates to the security company, which she stated comes from Montgomery, so that the City can confirm that this agreement has been made to secure the facility with one security guard inside the building and one outside the building.

D. Selma Water Works & Sewer Board vs. Geraldine Allen, et al. Attorney Nunn stated that the Council has been given copies of a letter from Chestnut, Sanders, Sander & Pettaway, L.L.C. as it relates to the Selma Water Works & Sewer Board vs. Dr. Geraldine Allen and Samuel Randolph. Attorney Nunn stated that the letter states that there is an "order from the Alabama Supreme Court granting the injunction," as well as an "order denying Ms. Allen's request to dismiss the injunction." Attorney Nunn stated that the Council will find these documents on the last two pages of the documents given to the Council, which he read. Attorney Nunn further stated that the injunction clearly states that Allen and Randolph are prohibited from participating in the Board's business until a final disposition of the case is held.

E. Election Deadline Dates. Attorney Nunn stated that within the next month documents should be prepared as it relates to the Elections; deadline dates are upcoming and information will be presented to the Council.

F. Sales Tax Holiday Deadline. Attorney Nunn stated that he also received information on today from the State of Alabama as it relates to a June deadline on the Sales Tax Holiday. Attorney Nunn stated that the State of Alabama would need to be notified whether or not the City will acknowledge and vote on giving our citizens a tax break.

G. Unpaid Court Cost and Fines (How Much)? Attorney Nunn stated that he did meet with Magistrate Laura Stowers on today as it relates to the request to obtain information on all unpaid court cost and fines. Attorney Nunn stated that she stated this task will be a huge task and she will review whether or not there is a feasible way to try to collect this information and draft a letter to the Council.

MAYOR'S REPORT

A. Length of Service Recognition Awards. Mayor Perkins stated that he would like to present a Certificate of Service in recognition of the following employees: Damion Dillard, Selma Fire Department, *Five Years* of dedicated service to the City of Selma, and George Cater, Public Works, *Ten Years* of dedicated service to the City of Selma.

B. Resolution #R177-07/08-LETS Grand. Mayor Perkins stated that Ms. Krystals Dozier will address the Council on behalf of the Planning and Development Department. Ms. Dozier addressed the Council as per said resolution, indicating that the "applicant agrees to be accountable for providing 10% cash match in the amount of \$2,776.80 toward the total cost of \$27,768.00 of said project," "in the FY 07/08 budget via line item Grant Matching Funds." 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 members present.

C. Resolution #R179-07/08-Fire Grant - Training & Equipment. Ms. Dozier addressed the Council as per said resolution, indicating that the "applicant agrees to be accountable for providing 10% cash match in the amount of \$19,591.50 toward the total cost of \$195,915.00 of said project," "in the FY 07/08 budget via line item Grant Matching Funds." 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 a unanimous vote of the Council members present.

D. Impact On 2008 Budget Due To Bond Not Passing. Mayor Perkins stated that no appropriation is requested from the Council tonight, this information is provided for Council review. Mayor Perkins stated that he would like to ask Ms. Cynthia Mitchell, City Treasurer, to come forward to address the Council on this issue. Ms. Mitchell addressed the Council stating that they have been given a spreadsheet showing items, since the Bond did not pass, that need to be dealt with. Ms. Mitchell stated

**MAYOR'S REPORT**

that the first three items are expenses that were in the budget, however, were moved to the Bond in hopes that it would pass; therefore, those three items would need to go back into the budget. Ms. Mitchell further stated that the election expense summary has also been provided; this includes expenses invoiced for preparations for the Bond election from Maynard, Cooper & Gale, PC for \$30,000.00, as well as building repairs that need to be done. Ms. Mitchell stated that the total for all these expenses not in the budget is \$967,436.97.

E. **Fire Hydrants Replacement.** Mayor Perkins stated that the Fire Hydrants in the City are being replaced. Mayor Perkins stated that the City of Selma has, for years, had this special thread known throughout the industry as the "Selma Thread" on our fire hydrants, which means that they are "non-standard" and if there was a major catastrophic event, other fire departments would have to have an adaptor to attach their hoses to our fire hydrants. Mayor Perkins stated that this is a massive project to replace all of the "Selma Thread" fire hydrants; 360 fire hydrants throughout the city are being replaced with new fire hydrants with "standard" thread; about 65 of them have already been replaced, and he wants the citizens to know that from time to time, in some areas, the water would have to be turned off for the purpose of installing these hydrants which may result in some temporary disconnection of water. Mayor Perkins further stated that an effort is being made to install at least 5 to 10 hydrants per month.

F. **Robert "Jack" Chandler Recognition - April 1<sup>st</sup>.** Mayor Perkins stated that the Council is aware that Robert Jackson Chandler passed away in August of this past year, and as a fifty-year service recognition the Water and Sewer Board agreed to name the Water Treatment Plant that is located on the Water and Sewer Board grounds in his honor. Mayor Perkins stated that the ceremony would take place on April 1<sup>st</sup> at 2:00 p.m. and citizens and Council members are encouraged to come out and be a part of this ceremonious event.

G. **Audit Management Letter.** Mayor Perkins stated that the auditor's management letter has not been received yet, but that the management team of auditors is working on it.

H. **Comprehensive List of Immediate Needs for the Police Department.** Mayor Perkins stated that he has asked Chief Riley to provide him a comprehensive list of immediate, intermediate and long-term needs for the police department. Mayor Perkins stated that he reviewed the first draft on today and the final draft would be provided prior to the next Council meeting.

**BUSINESS ITEMS:**

I. **NOISE ORDINANCE**

Councilwoman Venter stated that the noise is really bad everywhere "all over town." Councilman Williamson concurred. Chief Riley addressed the Council briefly on this issue.

II. **MISSING MONEY FROM THE POLICE DEPARTMENT**

Councilman Williamson stated that it was the consensus of the Council to give the new Chief of Police time to look into this issue. The Council concurs.

III. **UNPAID GARBAGE FEES**

President Pro Tempore Martin asked if there was an update on this item? City Treasurer Cynthia Mitchell stated there is no update at this time, but notices are being forwarded.

IV. **FY 2006-2007 AUDIT**

Councilman Williamson stated that he understands what the Mayor has said about the letter, but he wanted to know if he would be able to ask any questions about the audit "itself". City Treasurer Cynthia Mitchell stated the Council should put their questions in writing and they would be answered accordingly.

V. **PUBLIC SAFETY BUILDING LEAKING**

Councilman Williamson stated that this item is on the list of repairs given by the Mayor, for \$134,000.00, and he wants to know what needs to be done or if the Council can be given estimates of the repairs. President Pro Tempore Martin stated that Councilwoman Allen has been reviewing this issue. Chief Riley addressed the Council stating that this building as well as the annex building are being reviewed for repairs at this time, he further stated that as the Mayor mentioned earlier in his report, he has submitted a preliminary report on this issue, and someone would have to be brought in to do a good comprehensive assessment of the buildings to see what needs to be done and how it needs to be done,

**BUSINESS ITEMS:**

because the police department cannot afford to have anymore more property or equipment damage. Upon request, Chief Riley also stated that unfortunately there was some delay, but the tower came down with no problems at all, and he is very pleased with that, and hopefully that would cut down some problems relative to lightening striking to the building as well.

**VI. UPCOMING CITY GOVERNMENT MEETINGS, COMMITTEE MEETINGS AND CONFERENCES**

Councilwoman Venter stated that on this past Thursday, Youth Day was held in city government and the students really enjoyed their assignments.

**VII. DIXIELAND CARNIVAL**

Attorney Nunn stated that a motion is needed as it relates to Dixieland Carnival as per citizens' request at the last Council meeting. A motion was made by Councilman Williamson and seconded by Councilman Leashore for approval of the carnival. The motion passed with a unanimous (show of hands) vote of the Council members present.

**STANDING COMMITTEE REPORTS**

**RECREATION COMMITTEE - Councilman Reid Cain, Chairperson**

No Report.

**ADMINISTRATIVE COMMITTEE - Councilman Dr. Cecil Williamson, Chairperson**

No Report.

**PUBLIC SAFETY COMMITTEE - Councilwoman Dr. Geraldine Allen, Chairperson**

No Report.

**COMMUNITY DEVELOPMENT COMMITTEE - Councilwoman Bennie Ruth Crenshaw, Chairperson**

No Report.

**PUBLIC WORKS COMMITTEE - Councilwoman Jannie Venter, Chairperson**

No Report.

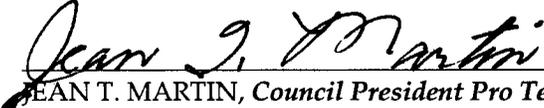
**DISCRETIONARY FUNDS COMMITTEE - President George Evans, Chairperson**

No Report.

**CLOSING REMARKS BY EACH COUNCIL MEMBER.**

**ADJOURNMENT**

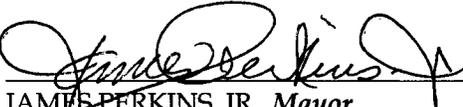
There being no further business to come before the Council, a motion was made by Councilman Leashore and seconded by Councilwoman Venter, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 6:46 p.m.

  
JEAN T. MARTIN, Council President Pro Tempore

ATTEST:

APPROVED:

  
LOIS WILLIAMS, City Clerk

  
JAMES PERKINS, JR., Mayor