

MINUTES OF THE SELMA CITY COUNCIL
JUNE 26, 2006
5:00 P.M.

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, June 26, 2006 at 5:00 p.m. with the following members present during roll call: Council President George Evans and Council members Cecil Williamson, Reid Cain, Jean T. Martin, Geraldine Allen, Samuel Randolph, Bennie R. Crenshaw 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 Sherri James. Reverend Rod Rodchester gave the invocation. Councilman Randolph was absent from the meeting during roll call and arrived around 5:14 p.m.

Pledge of Allegiance
Roll Call

APPROVAL OF AGENDA:

After review of the agenda items, a motion was made by Councilwoman Martin and seconded by Councilman Cain to move the School Board Appointment item prior to the citizens' request. Following discussion, both Councilman Cain and Councilwoman Martin withdrew their motions.

The following items were amended:

Additions: None

Deletions: Item VI: Check Register

President Evans stated he would ask that the School Board Appointment item be moved to Item I, under the Business Items, prior to the Sales Tax Holiday. A motion was then made by Councilman Leashore and seconded by Councilman Randolph to approve the agenda as amended. The motion carried 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 June 12, 2006 regular meeting. A motion was made by Councilman Cain and seconded by Councilman Williamson to table the minutes until the next Council meeting to give the Council a chance to review them. The motion carried with a majority vote (show of hands) of the Council. There were seven ayes and two nay votes. Councilman Leashore and Councilwoman Crenshaw cast a nay vote.

CITIZENS' REQUESTS

Ms. Glenda Shaw

Re: Police Department/Magistrate's Office Complaint

Mrs. Carolyn Bates

Re: Selma Disabilities Advocacy Program (Special Needs Day)

Ms. Wanda Tyler-McQueen

Re: Girl's Softball Team (Athletic Banquet & Field Trip - July 23, 2006, 3:00p.m.)

Councilman Cain Left the Chambers at 5:29 p.m. and returned at 6:01 p.m.

I. MAYOR'S REPORT

A. (1) Length of Service Recognition Awards. Mayor Perkins stated he would like to start by presenting a couple of certificates of service to recognize the following employees: *Mr. Steve Peasant, Public Works*; Twenty years of dedicated service to the City of Selma; and *Mr. James Jenkins, Police Department*, Ten years of dedicated service to the City of Selma. Mayor Perkins stated he would like to take this opportunity to commend Ms. Valeria Jones for initiating this program from the Personnel Department, which gives us a great opportunity to honor and express appreciation to the employees who serve the city.

B. BellSouth Contract. Mayor Perkins stated he would like to ask City Clerk Lois Williams to come for to address the Council regarding the BellSouth contract. Councilwoman Crenshaw asked if this is the contract that was presented to the Council at work session. President Evans concurred and stated due to concerns addressed to the Council by Mr. Montgomery about the bid process, Attorney Nunn was asked to research this matter about the requirements.

I. MAYOR'S REPORT

Attorney Nunn addressed the Council with this information. During discussion, a motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore to approve the said contract for the proposed amount of \$29,480.96. A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were seven ayes and one nay vote. Councilman Williamson cast a nay vote. Councilman Cain was absent from the Chambers when the vote was taken.

C. Resolution #R176-05/06 Public Works. Mayor Perkins stated resolution \$R176-05/06 was prepared to transfer funds from the Building Inspectors budget line item (1.6010.100.10) to the Public Works budget line item (1.6200.430.4) in the amount of \$16,000.00 for the purpose of purchasing two (2) work trucks. During discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve the said resolution. A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were seven ayes and one nay vote. Councilman Williamson cast a nay vote. Councilman Cain was absent from the Chambers when the vote was taken.

D. Support of Sales Tax Holiday. Mayor Perkins stated he would like to go on record in support of the Sales Tax Holiday and he encourages the Council to vote favorably on this issue. Mayor Perkins stated he provided his input after he received the report from Ms. Mitchell on the financial impact, which basically says it cannot be measured at this time, but the reality is the fact that everyone else is doing it; we need to get on board and pass the ordinance so that we would be together with the communities in the surrounding areas.

E. TRUSTBuild Presentation. Mayor Perkins stated he would like to give the Council a brief overview of TRUSTBuild and give an update of where we are in the process. Mayor Perkins and Mrs. Bridget Mills addressed the Council with a PowerPoint Presentation and update of the TRUSTBuild Project progress report.

F. Skate Park Module Display - Bloch Park. Mayor Perkins stated on the back wall of the Chambers is a simple model of the Skate Park that we are looking at and the company, American Ramp, which were here today, brought in models of the skating ramps in put them up in the park lot at Bloch Park today. Mayor Perkins stated some kids came out and actually skated on the ramps. Mayor Perkins stated the second model is where we want to go, with multiple experiences for the kids in the park, with modules that are movable to change the experience so that they won't get bored. Mayor Perkins stated in the last meeting he gave all \$12,000.00 of his money, and he believes, there was a hard commitment of \$30,000.00, and according to Coach Reece, another \$30,000.00 is needed. Mayor Perkins stated he hopes the Council would see it in their hearts to go ahead and make a commitment for the additional \$30,000.00 out of the discretionary or off shore oil lease money. Councilwoman Allen asked if the Council would receive a copy of the bid documents on this project? Mayor Perkins stated yes, with discussion. Councilman Leashore stated he would give his portion and ask the other Council members to also commit to give the amount needed to fund the skate park. Councilman Williamson asked if this would be a bid item? Mayor Perkins stated he suspects it would be, with discussion that the Public Works bid requirement has a \$50,000.00 threshold as to whether it has to be a bid item, but he would like to see it bid out. Councilwoman Crenshaw stated she would like to see some fencing added to the skate park. Mayor Perkins stated information regarding the skate park was placed in the Council mailboxes. President Evans stated there were seven members of the Council who said that they would give monies towards the \$6,000.00, and would consider giving up to \$6,000.00. President Evans stated he recalls two members possibly not agreeing to this, but of the others, would consider giving up to \$6,000.00. Mayor Perkins stated the documentation with rough estimates would be provided to the Council by the next Council meeting.

Councilman Randolph left the Chambers briefly and returned at 6:10 p.m.

G. Striplin Property Study. Mayor Perkins stated in the last Council meeting it was reported to the Council that we have moved forward with the study that needs to be done; the survey is under contract; and the appraisal. Mayor Perkins stated the historic study is being facilitated through the Planning & Development Office. Mayor Perkins stated the environmental phase is also being done. Mayor Perkins stated he realized this past week that we are now making investments, ranging from \$12,000.00 to \$15,000.00, for the purpose of acquiring this property and he would like to suggest to the Council that we spend \$5,000.00 to put a right of first refusal on the acquisition of the property. During discussion, a motion was made by Councilwoman Martin and seconded by Councilman Leashore to authorize Attorney Nunn to prepare legal documents to give the City the right of first refusal on the acquisition of this property. 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 Williamson and Councilman Cain both cast a nay vote.

I. MAYOR'S REPORT

Councilman Cain left the Chambers briefly and returned at 6:31 p.m.

H. Sales Tax Report Update. Councilman Williamson stated at the work session on last week, Mrs. James was asked to provide an explanation of the discrepancies in the figures that Ms. Mitchell gave the Council versus what is shown in the financial report. Mayor Perkins stated City Treasurer Cynthia Mitchell could give the Council that explanation. Ms. Cynthia Mitchell addressed the Council with this information.

II. CITY ATTORNEY'S REPORT

A. Resolution and Petition - Vacating Street. Attorney Nunn stated he would like to ask Ms. Helen Carter to come forward at this time to address the Council regarding some concerns, possibly administrative. Ms. Carter addressed the Council stating she lives at 214 Norwood Drive and she is one of three families who are in the city limits of Selma and the mist of Valley Grande. Ms. Carter stated they only receive garbage and trash service as part of the City of Selma and have lived their for a long, long time, since 1960 and there are two other houses built there in recent years. Ms. Carter stated in 1967 this property was taken into the city limits; however, after discussion, she concluded that her request, she is sorry to say, is that they be removed from the City of Selma and all the nice things that are being done to get the City cleaned up and everything. Ms. Carter stated they just have a unique situation on her street. President Evans asked Attorney Nunn to research this matter. Attorney Nunn stated he would bring this information to the Council at the next Council meeting.

B. Ordinance - Livestock in the City. Attorney Nunn stated per Council request, a copy of the livestock ordinance has been provided to the Council under chapter 5 of the Selma City Code. Attorney Nunn stated this was mentioned during the work session and he read this information to the Council. Section 5-24. President Evans stated he would like to ask each Council members who have some ideas about this ordinance and what they would like to see in it, to please get it to Attorney Nunn so that he can prepare a draft to review based on the need.

Councilwoman Venter left the Chambers briefly and returned at 7:12 p.m.

Councilman Randolph left the Chambers briefly and returned at 7:15 p.m.

C. Lawsuit - Clyde Carter vs. City of Selma. Attorney Nunn stated the City of Selma has received a lawsuit that was filed against the City, Mr. Clyde Carter vs. the City of Selma, on June 21, 2006. Attorney Nunn stated Mr. Carter is alleging that he was denied an opportunity to receive a promotion within the Police Department. Attorney Nunn stated he is making the Council aware of this lawsuit and the insurance will file an answer to this within (30) thirty days.

D. Speed Breakers Procedures. Attorney Nunn stated during the work session regarding speed breakers, there was a letter addressed to the City Council on June 7, 2006. Attorney Nunn stated this letter is in response to the Council inquiry as to what procedures were used by the previous City Council for installing speed breakers on or about the streets within the City of Selma. Attorney Nunn stated he researched this request via the minutes from 1987 to 2002. Attorney Nunn stated apparently the general procedure has been a petition from residents requesting speed breakers and stating the purpose thereof submitted to the City Council. Attorney Nunn stated the petition was then present to the Councilperson in their ward; the Council then either voted on the matter or assigned to the Public Safety Committee for further review. Attorney Nunn stated a copy of these minutes have been given to the Council. During discussion, a motion was made by Councilman Williamson and seconded by Councilman Randolph to place speed breakers provided the procedures indicated are followed as per Attorney Nunn with consideration to the validation of placement where applicable. The motion carried with a unanimous vote (show of hands) of the Council.

E. Ordinance - Curfew. Attorney Nunn stated the curfew ordinance was discussed in the work session and he stated the only things listed in the ordinance as it relates to penalties and law enforces is that once this ordinance is violated, the child or person shall be cited for the first violation. Attorney Nunn stated the seconded citation would result in the parent receiving a warrant. Attorney Nunn stated at the discretion of law enforcement, any minor receiving a citation may be released and returned to home by the Police Department. Attorney Nunn discussed further details of the ordinance and stated he has provided this information to the Council. During discussion, President Evans asked Attorney Nunn and the Public Safety Committee to bring back further information about this matter to the Council.

II. CITY ATTORNEY'S REPORT

F. Purchase of Property. Attorney Nunn stated the City has closed on the Jim Scott property and he is making the Council aware of this purchase.

G. Knox Pest Control Bid. Attorney Nunn stated there was question during the work session regarding the Knox Pest Control contract. Attorney Nunn stated he had an opportunity to talk with the Alabama League of Municipalities and they felt that the Knox Pest Control contract falls under the Public Works bidding. Attorney Nunn stated this is located in section 39-2-1, which included repairs and maintenance of public buildings and pest control would fall under maintaining the building. Attorney Nunn stated the Public Works bidding has expenditure of \$50,000.00 or less and does not have to be a bid item. Attorney Nunn stated this is the reason why the contract for pest control with Knox Pest Control was not a bid item.

H. Ordinance #O106-05/06 - Sales Tax Holiday. Attorney Nunn stated he attended a seminar in Hoover on Friday and the Council has been given copies of the information that was distributed at the seminar. Attorney Nunn discussed this information with the Council. During discussion, a motion was made by Councilwoman Martin and seconded by Councilman Leashore to approve the said ordinance for one year as a trial bases. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

BUSINESS ITEMS:

III. SCHOOL BOARD APPOINTMENTS

Councilwoman Allen stated she followed the same procedures that were used for the School Board Appointments that were used for the last appointments. Councilwoman Allen stated she received nine applications for appointments of three positions vacant on the School Board. Councilwoman Allen stated neither the City Clerk, the City Council Secretary, or her, as Chairperson of the Administrative Committee, composed any flyer in which there was a portion of one of the applicants resume included. Councilwoman Allen stated they met in the Council chambers and the public was invited and Council members were in attendance with the exception of Councilman Cain. Councilwoman Allen stated at the request of the Council during work session, she has prepared a ballot of the applicants for the election to the School Board. Ballots were passed to the Council and the City Clerk. A motion was made by Councilman Williamson and seconded by Councilwoman Martin that ballots would be used for this process. The motion passed with a majority vote (show of hands) of the Council. There were six ayes and three nay votes. Councilman Leashore, Councilwoman Crenshaw and Councilwoman Venter all cast a nay vote. A motion was made by Councilman Williamson and seconded by Councilman Randolph to vote by names of the individuals and not by numbers. Following discussion by Councilwoman Allen, the motions were rescinded. President Evans then proceeded to read the names of the candidates in each category. Councilwoman Allen asked that City Clerk Lois Williams would call roll for votes on three candidates; one black and two whites. During roll call, under Category I, Candidate #1 received 3 votes, Candidate #2 received 0 votes, Candidate #3 received 6 votes, Candidate #4 received 1 vote, Candidate #5 received 0 votes, and Candidate #6 received 0 votes; under Category II, Candidate #1 received 9 votes and Candidate #2 received 5 votes. Following roll call Councilwoman Allen stated the applicants appointed to the School Board are Mr. Coley Chestnut, Ms. Barbara Stapp-Hiouas and Mr. David Hagood, by majority vote of the Council. President Evans stated asked Attorney Nunn if he would revisit the consent decree and bring an update to the Council.

IV. COUNCIL BUDGET

President Evans asked that all Council members get information to Ms. Johnson regarding their recommendations for the Council budget.

V. HOSPITAL HEALTHCARE CONCERNS

President Evans stated a letter was given to the Council regarding some concerns as it relates to hospital healthcare. President Evans stated he also sent a letter to the Mayor and asked that they would meet to discuss a plan of action to approach this matter. Mayor Perkins stated he has no comments at this time. President Evans stated the letter was written by an anonymous citizen.

VI. CLOSING REMARKS BY EACH COUNCIL MEMBER

There were no closing remarks by each Council member at this time.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - COUNCILMAN SAMUEL RANDOLPH, CHAIRPERSON

There is no report for the Recreation Committee.

ADMINISTRATIVE COMMITTEE - COUNCILWOMAN DR. GERALDINE ALLEN, CHAIRPERSON

Councilwoman Allen stated her report has already been given.

STANDING COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE - COUNCILMAN REID CAIN, CHAIRPERSON

Councilman Cain left the Chambers at 8:02 p.m.

COMMUNITY DEVELOPMENT COMMITTEE - COUNCILWOMAN JEAN MARTIN, CHAIRPERSON

There is no report for the Community Development Committee.

PUBLIC WORKS COMMITTEE - COUNCILMAN LEASHORE, CHAIRPERSON

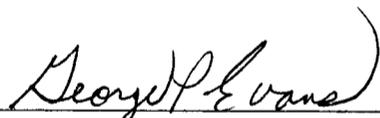
There is no report for the Public Works Committee.

DISCRETIONARY FUNDS COMMITTEE - COUNCILWOMAN CRENSHAW, CHAIRPERSON

Councilwoman Crenshaw stated the Council has given \$600.00 towards the request from Mrs. Wanda Tyler-McQueen.

ADJOURNMENT

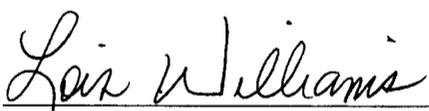
There being no further business to come before the Council, a motion was made by Councilwoman Allen and seconded by Councilman Leashore to adjourn, and by unanimous consent the Council adjourned the meeting at 8:06 p.m.



GEORGE P. EVANS, PRESIDENT

ATTEST:

APPROVED:



LOIS WILLIAMS, CITY CLERK



JAMES PERKINS, JR., MAYOR