

MINUTES OF THE SELMA CITY COUNCIL
OCTOBER 23, 2006
5:00 P.M.

Call to Order

Invocation: Pastor Doris Moultrie
Grace Fellowship Church

Pledge of Allegiance

Roll Call

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, October 23, 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, Samuel Randolph, Johnnie M. Leashore, Bennie R. Crenshaw and Jannie M. Venter. Councilwoman Geraldine Allen was absent during roll call, and arrived at 5:26 p.m. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Darlene Rudolph.

APPROVAL OF AGENDA:

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

Deletions: **Business items:**
 I. Attorney's Bill for Tower Suit (Fiscal Year Payment)
 III. Environmental Court
 IV. Work Sessions
 V. City Council Board Appointments or Approval

A motion was then made by Councilwoman Martin, and seconded by Councilwoman Crenshaw, to approve the agenda as amended. **The motion passed with a unanimous vote (show of hands) of the Council.**

APPROVAL OF MINUTES:

After approval of the agenda, President Evans asked for a motion to approve the minutes of the October 9, 2006 regular meeting. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Cain, to table the minutes until the next Council meeting, for the purpose of clarification and corrections. **The motion passed with a unanimous vote (show of hands) of the Council.**

CITIZENS' REQUESTS

Mrs. Nancy Sewell

Re: RIF - "Reading Is Fundamental" - Mrs. Sewell addressed the Council with a request for continued support and assistance with the RIF Program. It was the consensus of the Council to give \$200.00 each towards this program.

Mrs. Carolyn Bates

Re: Selma Disability Advocacy Program - Mrs. Bates addressed the Council with a request for continued support and assistance with the Selma Disability Advocacy Program in their need for \$25,000.00 cash - grant match, and a support letter from the Council. President Evans stated he would prepare the letter of support on behalf of the Council, and move forward with trying to get other contributions to help with this Program.

Bishop Robert Pettus, Sr.

Re: Macedonia Community Development Corporation - Bishop Pettus requests \$3,000.00 to assist in their initiative for the Youth Community Development Center; also, extended an invitation to the Grand Opening and Ribbon Cutting Ceremony of their new community center which will be held on October 26th at 12 o'clock noon.

Ms. Nancy Travis

Re: Sabra Sanctuary - Mrs. Travis addressed the Council and thanked the Council for their support. Mrs. Travis also stated that October is "Domestic Violence Awareness Month". President

Evans stated the Council appreciates the job that Mrs. Travis is doing, and he is sure the Council will be making various contributions to that cause.

Mr. Cedric Griffin

Re: Liquor License Application (*Cheers*) - Liquor License Renewal Request (*Club Destiny*)

Evangelist Jessie LeSure (*Dr. Love*)

Re: Love Everybody Help Outreach Ministry - Evangelist LeSure invites everyone to her 53rd Birthday Celebration at 4:00 p.m., on November 12th at the Convention Center; also, she passed out "Love Pills", in the Name of Jesus, for everyone in the form of Balloon/Basket Arrangements, stating love is the only thing that is going to last. President Evans and the Council thanked her for all of her efforts.

Mr. Joe Bumbrey - Mr. Bumbrey addressed the Council and requests assistance with workshops for any leadership role in the field of diversity in the City - to help Selma become the kind of community that we all can be proud of. Mr. Bumbrey stated there is no pay involved, except in the printing of the information. Councilwoman Martin stated she would like to meet with Mr. Bumbrey and meet with him informally and address this issue. Councilman Cain concurred with that, stating he thought it would be good if Mr. Bumbrey met with each council member and move forward from there. President Evans asked Mr. Bumbrey to check with Ms. Diana Johnson in an effort to set a time where he and each individual council member can meet individually for the purpose of asking questions they may have for the purpose of explaining this type of program to them. President Evans stated the Council appreciates him for his desire to volunteer his time to this project.

I. MAYOR'S REPORT

A. 2006 - 2007 Budget. Mayor Perkins stated the Council should have received their copy of the 2006/2007 Budget. Mayor Perkins thanked the Treasurer's office for their hard work in putting it together. Mayor Perkins also stated Ms. Mitchell is absent this evening due to her being ill, but the staff pulled together and got the work done, and he wants to thank them for it.

B. Certificate of Service Award. Mayor Perkins stated there is an Employee, who has earned her Certificate of Service and he would like to present it at this time: Ms. Alice Wooten, Selma Police Department, *Ten Years of Service*. Mayor Perkins stated he would like to thank her for her years of dedicated service to the City of Selma. Ms. Wooten was also presented with a Longevity Pin.

C. Breast Cancer Awareness Seminar. Mayor Perkins stated tomorrow at 11:00 a.m. at the Convention Center there will be a Breast Cancer Awareness Seminar. Mayor Perkins encourages all citizens (men and women) to attend and be a part of that very informative and inspiring seminar.

D. Resolution #R110-06/07 - Alabama Historic Commission - Application. Mayor Perkins stated Resolution #R110-06/07 is a continuation of a prior resolution the Council has already passed and approved the matching funds; no additional out-of-pocket or general fund appropriation. Mayor Perkins also stated this resolution is an acknowledgement of the in-kind service that is necessary for the performance of this project, and asks Council favorable consideration. A motion was made by Councilwoman Martin, and seconded by Councilwoman Crenshaw, to approve said Resolution #R110-06/07. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

E. Resolution #R107-06/07 - Purchase of 111 Acres of Real Estate. Mayor Perkins read Resolution #R107-06/07 in its entirety, stating the City of Selma's desire to purchase approximately 111 acres of real estate within the City of Selma for the purchase price of \$1,000,000.00. Mayor Perkins also stated the Council should also have in their packets a recommendation for proposed negotiation terms for the land purchase loan. Mayor Perkins stated his conversations with the bank has provided some insight into this project, and he recommends to the Council that it moves forward in negotiating with the financial institution, that we move forward with a \$100,000.00 deposit only, interest only monthly for approximately \$3,900.00 per month which would give an interest rate of between 5% and 5.25%, an annual reduction of principal of 10% of the balance, which would be approximately \$90,000.00. Mayor Perkins also stated that payment would not be due until October or November of 2007, which would be FY2007-2008. Mayor Perkins further stated that the note in the resolution has been reviewed by

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the bond attorney, the bank, and our City Attorney, and they concur that the language for this note will be a public purpose tax free loan. Mayor Perkins stated he is recommending that he receive authorization to proceed negotiating terms with the bank, and asks that we proceed with the execution of the purchase of this land. A motion was made by Councilman Leashore, and seconded by Councilman Randolph, authorizing Mayor Perkins to move forward in the land acquisition of the proposed 111 acres of land. During discussion, Councilman Williamson asked if there was a historical review? Mayor Perkins stated that there was an archaeological survey done. Councilman Williamson asked Mayor Perkins, when he went before the School Board, if they had gone on record favoring a new school? Mayor Perkins stated that the School Board went on record stating that they would do an analysis or study of the existing structure, and move from there. Mayor Perkins also stated it was clear at that time that it would be their decision to make, and that he was not looking for anything definitive at that time. President Evans stated the Council has had some discussion concerning this at the last Council meeting, and as he stated before he has no problem with supporting a new school, if that is the case, but at this point we do not know if that is going to be the case of what the citizens want. President Evans also stated he sees somewhat of a breakdown of the funding source to some extent, but he does not know whether this is a fixed amount. President Evans also stated after reading the appraisal there was some question in terms of whether the area may be a possible flood zone. President Evans stated he is in agreement totally that the City needs more cemetery space, but the question is that we are talking about spending \$1,000,000.00 of the taxpayer's money, and we have had no real discussion about this with the public from the standpoint of getting feedback from them. President Evans further stated at this point we do not know if the assessment is going to come back that the School Board needs a new school and he thinks at this point we truly are ahead of ourselves in going forward and purchasing this 111 acres without first allowing our citizens to have input in terms of how we are going to use this property; the citizens must have some input, too. President Evans stated he has some real concerns about, we, as a Council, Mayor, and as citizens, need to have more discussions about this \$1,000,000.00 project. President Evans further stated he did not believe any of them would give \$1,000,000.00 to somebody to spend, not knowing what the terms are going to be before the purchase is made. President Evans stated he thinks the Council needs to be very cautious about this. Mayor Perkins stated there should be information, including an environmental study, in their packets that would indicate that the property is not in a flood zone area. Mayor Perkins stated he would bring to the Council's attention that the creek that runs a boundary portion of the property is the same creek that runs behind Selma Chat Academy. Mayor Perkins also stated that the building of a school is only one possible use of the school. Mayor Perkins further stated authorization to have all of the studies done was authorized with no specific purpose in mind; only for the fact that it was good property to be owned by the City for the purpose of future development, and Mayor Perkins stated that is still all that they are talking about. Mayor Perkins asks that the Council provide him with the opportunity to negotiate this transaction. President Evans stated we are talking about \$1,000,000.00 and for those who are willing to rush and do this that is fine, but he stated he has one vote, and he has a right to think that way, asking questions and being objective about a project he has been a part of, even in the previous Council. President Evans further stated he has been a part of this whole process, getting more information and data, so that he could make a decision. President Evans stated he did not say in moving forward, and getting data, that he was going to approve it; he said he wanted to get all of the facts before he made a decision. President Evans further stated the facts have come to him and he still states, as Council members, we have not had a deep enough discussion about spending \$1,000,000.00 on the property. President Evans also stated there is a lot of language in the appraisal that concerns him, and he needs help on, and further clarification on. President Evans stated he thought, based upon what was agreed on initially, that they would have a public meeting to talk about this matter for the purpose of him being on board, as well as, anybody else being on board. President Evans further stated he felt that there should be more dialogue before making a decision, and he attempted to contact Mayor Perkins but he was out of town; therefore, he wrote a letter to him and the Council, explaining his reluctance in moving forward until they had had an opportunity to really discuss this matter, and put some things down in writing to see where they wanted to go with this, and that is where he is on this matter. Councilwoman Allen stated in good faith she also agreed for the appraisal and other items expressed by Mayor Perkins, but in good faith she did this in order to find out whether it was "good property". Councilwoman Allen further stated she does not think that they are being unfair to the seller because they have been given a retainer, which we shall lose if we do not take this land. Councilwoman Allen stated, therefore, she thinks, in fairness they have a right, as Council, to ask questions, and to get those questions answered, in order to make this decision. Councilwoman Allen further stated she still has questions; one of which relates to the proposed negotiation terms - one of her questions relate to the emergency meeting night, the bank stated they would only allot us for \$700,000.00, not a \$1,000,000.00; she would like

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to know what happened to that particular issue. Councilwoman Allen stated she would like to know exactly the plan for this land; the only thing that they were told at the beginning was land for a cemetery. Councilwoman Allen stated she is concerned about that, and further stated, she thinks we owe it to the public to have a plan in place for monies that are going to be spent. Councilwoman Allen concurs with President Evans, stating she thought they were going to have a dialogue. Councilwoman Allen stated she would have liked to have had a discussion about this in open forum. Councilwoman Allen further stated she could not support this without getting further information. Mayor Perkins stated he would like to respond to those two items, and then continue to have dialogue. Mayor Perkins stated he respectfully disagree with the notion that they are rushing through this. Mayor Perkins further stated he believes the first time the property was visited was over two years ago. Mayor Perkins also stated the second point he would like to make is that, the last serious discussion about this, with this body, was towards the end of September, and that no one on this body has said one word to him about this transaction, and we are at the end of October. Mayor Perkins stated he has every desire to discuss it, but he sees no interest in talking about it. Mayor Perkins further stated the question that was asked about the \$750,000.00 that was originally discussed that term was discussed based upon the fact that they had proposed the bank to use the available cash that was in this past fiscal year. Mayor Perkins stated, when they decided not to close on the transaction prior to the end of the fiscal year, the availability of that particular part of cash came under the 2005/2006 financial savings was no longer, and the deal was restructured and the bank was willing to work with us to reduce the annual cash out in this fiscal year, and that is why the first principal payment is not due until the end of the next fiscal year. Mayor Perkins stated, again, these were recommendations that were made. Mayor Perkins stated with all due respect to the Council, he feels there is a "stall" on this, and he would like for the Council to make a decision and move forward. Councilman Williamson stated to Mayor Perkins, he had proposed more than \$148,000.00, if these are the terms, where is the money coming from out of the budget, what line item? Mayor Perkins stated this is going to require a budget amendment prior to closing on the transaction and the terms will have to be finalized, and what he is doing right now is trying to get authorization to proceed to move in that direction. Councilman Williamson asked if Mayor Perkins if he has an idea of where we would get \$148,000.00, and stated the reason he is asking is because there is only \$148,000.00 unappropriated in this budget for this fiscal year, and we have already spent a little of it. Mayor Perkins responded by stating he was prepared to answer that question this evening, but Ms. Mitchell took sick, and is not here. Councilman Williamson stated he also has comments concerning the appraisal and stated to President Evans, if they have read it there are 10 acres that are appraised for \$30,000.00 each, and the other 100 acres are appraised for \$6,800.00 each; the difference is 10 acres are zoned for commercial, but all the land looks the same to me; he stated he does not see why some of it is \$30,000.00 and some is \$6,800.00 an acre, and just the right amount to make an appraisal of \$1,000,000.00 with those figures? Councilman Williamson further stated \$540,000.00 was paid for this land a number of years ago, and he understands land appreciates, and he does not know if it has doubled; if it is worth \$1,000,000.00. Councilman Williamson also stated he does not believe that it is one person in here that would spend money they did not have, a \$1,000,000.00 that they did not have, to buy land they do not need, for a purpose that they do not know what they are going to use it for. Councilwoman Crenshaw stated the general purpose and statement that she would like to make on this has nothing to do with the rhetoric that is being spoken about. Councilwoman Crenshaw further stated Selma is on the move, and we need to be on the move. Councilwoman Crenshaw also stated we need that property; we need to progress, and move Selma forward. Councilwoman Crenshaw stated Selma has to move forward; some people want that traditional mind-set; keep issues going and do not want to move Selma forward. Councilwoman Crenshaw also stated that they need to take a position on what they want to do about this, move forward or move back, or however they want to do this. Councilman Cain stated in response to Councilwoman Crenshaw's comment of being traditional, it is more than just that. Councilman Cain further stated it is about being responsible as Council members with the taxpayer's monies; it is about doing what is right with the taxpayer's money. Councilman Cain stated Councilwoman Crenshaw and Mayor Perkins both state there is no purpose; the general idea of what they want to use the land for. Councilman Cain stated we do not know what the purpose is. Councilman Cain further stated there is \$1,000,000.00 that we are looking to finance probably over 15 years, and our budget is \$1,000,000.00 more than it was last year. Councilman Cain stated we do not have the money in the budget necessarily to finance this and he is sure the Mayor is going to look into it and try to find some dollars and that would be great but right from what we are looking at, we do not have the money for this project for 15 years. Councilman Cain also stated the question comes where are we going to get the money from for all of this development that we want to do on this project? Councilman Cain stated the cemetery was the original topic of discussion all along in

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executive session, that we were looking to do this as a cemetery - it was imperative that we get a new cemetery because we were running out of space - that is where the discussions went back in May and that is why the Council moved forward for the assessment, the survey, the environmental studies, and the historical studies - that's why the Council went forward to see if it was going to be feasible to do a cemetery - there is a lot of "unkowns" and a lot of questions - and as far as rushing through the process there has got to be a process that we go through - "any banker knows that and any business person knows that". Councilman Cain stated we are rushing through something that we do not know anything about, no specific purpose again. Councilman Cain concurs with President Evans that we have got to go through proper procedures and process and feels this needs to be brought before the public to hear the public's opinion. Councilman Cain stated a cemetery could be a good feasible opportunity for this land - what will the cost be to move the cemetery over to this new property? Councilman Cain stated a \$1,000,000.00 of the taxpayer's money for 15 years, with a variable rate loan, is an awful lot of money without any specific information. Councilman Cain further stated we want to be responsible council members and not foolish in our decisions with the City's monies. Mayor Perkins responded by stating "where there is no vision, the people perish". Mayor Perkins also reminded the Council it was only after the bank stated they need to know a specific purpose, that they even began to talk about the various possibilities of use for the land, and it was only after a lot of public uproar that they started talking publicly about a school. Mayor Perkins stated he did not say in the school board meeting that we should go out and build a school, but what he said was we ought to give the people the opportunity to decide. Mayor Perkins further stated the purpose for this land is for development, and we will never be able to develop it if we do not own it. Mayor Perkins asked if the Council would vote, and then "let's" proceed together to develop the vision and the strategy for development. Councilwoman Martin asked if the Council buys the land will there be opportunities for public meeting for our taxpaying citizens to discuss what they need, and to look at plans for a cemetery, and other needs for the City? Councilwoman Martin further stated she is not opposed to buying the land, but she is opposed to doing anything with it until we have had discussion with all of the people whose taxes are going to be paid to purchase it with. Mayor Perkins stated he agrees with Councilwoman Martin 110% and further stated he reminds the Council that the Mayor does not have any authority at all to do anything with public property without Council's vote. Following this lengthy discussion, 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 failed for a lack of a majority vote. There were four ayes and five nay votes. President Evans stated he cannot support this at this point due to not enough available information; a \$310,000.00 lawsuit is pending against the City and he is not sure where the money will come from and he is concerned about that, and the land has been talked about for two years, and until the appraisal was done they did not know what they were buying, but the appraisal tells a lot about the land. President Evans further stated we have 50 acres of land on Highway 80, and since it belongs to the City, he questions why it cannot be a cemetery. President Evans also stated he has some real concerns about what we are doing here tonight and he hopes that the Council does the right thing for the taxpayers who put them there, and he votes no. Councilman Williamson, Councilman Cain, Councilwoman Martin and Councilwoman Allen also cast nay votes. Councilman Leashore voted yes, stating he sees the vision, and he encourages Mayor Perkins to continue to move forward in spite of these obstacles.

F. Municipal Judge Christmas Y. Green - Letter of Resignation. Mayor Perkins stated to Council that they should have in their packets a copy of a letter of resignation submitted by Municipal Judge Christmas Green. Mayor Perkins further stated to Council that he encourages them to take action.

G. ProHealth Selma, Incorporated - Sublease Agreement with City of Selma for Medical Office Space at the Good Samaritan. Mayor Perkins stated to Council that they should have in their packets a letter from ProHealth, Sublease Agreement, request for termination. Mayor Perkins further stated that letter has been summarized, the arrangements and the terms to move forward, to end this relationship is delineated in this memorandum. Mayor Perkins asked Council to give this information serious review and be prepared to take action at the next meeting.

H. DHL Analytical Laboratory, Incorporated - Contract for Services. Mayor Perkins asks Council consideration of contract for Debra Love, Environmentalist who was under contract last year with DHL Analytical. Mayor Perkins stated at the time the contract was done last year they provided tremendous technical assistance. Mayor Perkins further stated the contract this year includes the management of the Brownsfield Grant. Mayor Perkins asks Council favorable consideration of said contract in the amount of \$72,000.00, split equally between two funds. A

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motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve said contract. A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight ayes votes. Councilman Williamson cast a nay vote.

I. TrustBuild Community Outreach. Mayor Perkins stated there was a request for some reports on TrustBuild as it relates to contacts made, and copies were passed out for Council's review.

J. City Council - Itemized Credit Card Charges. Mayor Perkins stated there was a request in reference to Council credit card charges, and there is a memorandum in Council's packets that deals with the itemized credit card's response to that information, for Council's review.

K. Discretionary Funds Report. Mayor Perkins stated there was a request for all of the Council's discretionary spending, and travel, and that information was made available in Council's packets.

L. Aging Report - Invoices - 61 Days and Older. Mayor Perkins stated there was a request made for an Aging Report - Invoices - 61 days and older, and that information was made available in Council's packets.

M. Personnel Data. Mayor Perkins stated there was a request made for some personnel data but Ms. Valeria Jones has been out due to death in her family and was not able to complete that timely. Mayor Perkins further stated that information will be made available at the next Council meeting.

II. CITY ATTORNEY'S REPORT

A. Resolution #R111-06/07. Attorney Nunn presented Resolution #R111-06/06 as it relates to City Code Enforcement Officer Darryl Moore and his report to the City Council real estate classified as "dangerous building" and/or a "nuisance", within the City of Selma located at 2001 Jeff Davis Avenue. Attorney Nunn stated based upon Mr. Moore's findings, he asks Council approval of said resolution. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Randolph, to approve said resolution. The motion carried with a unanimous vote (show of hands) of the Council.

B. Solicitation within the City of Selma. Attorney Nunn stated the Council should have before them information as it relates to solicitation within the City of Selma for review. Attorney Nunn further stated that there is a lawsuit presently against the City as it relates to the solicitation; specifically, at the location of Broad Street and Highland Avenue. Attorney Nunn stated if Council has further questions as it relates to solicitations, please feel free to contact him.

C. U.S. Equal Employment Opportunity Commission (E.E.O.C.). Attorney Nunn stated he was in receipt of a letter from the U. S. Equal Employment Opportunity Commission in which about 8 or 9 months ago an E.E.O.C. Complaint (Scott Swanson) was filed against the City. Attorney Nunn further stated we filed an answer to the complaint and E.E.O.C. did make a ruling that they did not find any type of discrimination on behalf of the City of Selma.

D. U.S. Equal Employment Opportunity Commission (E.E.O.C.). Attorney Nunn stated he was also in receipt of another E.E.O.C. Complaint which was filed, about a week or two ago by Mr. Ghatt, an applicant that applied for employment with the City of Selma - Police Department. Attorney Nunn further stated we would be filing an answer via his office, and hopefully get that complaint dismissed, also.

E. Alcoholic Beverage License Procedures. Attorney Nunn stated to Council that he presented to them during the last Council meeting the procedure as it relates to the application for an alcoholic beverage license. Attorney Nunn further stated to Council, if they recall, we have changed the procedure and the Council wanted to review it. Attorney Nunn also stated there was a concern about business owners having to bring their business to code first and then coming before the Council wherein the Council may deny them, after they have spent thousands of dollars in renovations. Attorney Nunn stated the new procedure would prevent that; a background check will be done, and the various departments would do an initial inspection before coming before the Council for preliminary approval. Attorney Nunn further stated it would then go back to the

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departments and they would make sure that the buildings come up to codes, and once they come into compliance of codes, the forms will be forwarded to the City Clerk, and then all of the information will be forwarded to President Evans for his final signature. Attorney Nunn also stated this will prevent the business owner from being required to renovate the building prior to Council's approval. Attorney Nunn asks Council consideration and approval. Councilman Leashore asked the Council to table this item until the liquor license applications that are being presented tonight can be acted on. After consideration and approval of the below-listed Application for Liquor License - Renewal (Club Destiny) and Application for Liquor License (Cheers), a motion was made by Councilman Cain, and seconded by Councilwoman Martin, to accept the new procedures for a liquor license for new applicants. The motion carried with a unanimous vote (show of hands) of the Council.

F. Application for Liquor License - Renewal - Mr. Cedric D. Griffin (Club Destiny). Attorney Nunn presented the application for Club Destiny located at 1211 Alabama Avenue for consideration of its renewal license. A motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve the liquor license renewal. A roll call vote was taken and the motion passed with a majority vote of the Council. There were seven ayes and two abstentions. Councilman Williamson and Councilwoman Venter abstained from voting.

G. Application for Liquor License - Ms. Tammy Williams (Cheers). Attorney Nunn presented the application for Cheers located at 1105 Broad Street for consideration its liquor license. This application has been presented several times for approval, and placed on first and second readings, and asks for the consideration of the Council to approve the liquor license. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve said application. A roll call vote was taken and the motion passed with a majority vote of the Council. There were six ayes, one nay, and two abstentions. Councilman Williamson cast a nay vote, and Councilman Cain and Councilwoman Venter both abstained from voting.

H. Water Board - Conference Call. Attorney Nunn stated the conference call was held with President Evans, the Water Board Attorney, Attorney April Albright, and Mayor Perkins. Attorney Nunn also stated he thinks they talked to one of the Attorney General Assistants, Attorney Brenda Smith. President Evans, in summary of that meeting, stated that Attorney Nunn would be "briefed" as to what happened in that meeting, in writing. President Evans further stated it was agreed upon that the conference call would not be discussed at this meeting, in an effort to get with Attorney Nunn as to what took place in that conference call, and then proceed from there at the next council meeting.

I. Todd Lawsuit (O'Hara Place). Attorney Nunn stated he is in receipt of a proposed agreement in which the insurance company has agreed to settle the claim. Attorney Nunn further stated he is in receipt of a letter from the insurance company as it relates to the City's portion; agreement to repair that portion of drainage or sewage problems there. Attorney Nunn also stated the City Clerk is working on the bids for this project.

BUSINESS ITEMS:

I. SELMA PUBLIC LIBRARY

President Evans stated he had spoken with Senator Sanders on last week and he asks that we would keep the rotation until he has had a chance to work this out. President Evans further stated by the time the rotation comes back to the City of Selma he thinks it should be an item on the agenda for discussion, for the purpose of City Treasurer coming back to the Council and advising them as to where the payment will come from. President Evans also stated he would follow-up with Senator Sanders to see what has been worked out. During discussion, a motion was made by Councilwoman Venter, and seconded by Councilwoman Martin, to continue the rotation until further notice. An amended motion was made by Councilman Williamson, and an additional amended motion by Councilman Leashore, that the City would make a payment at the end of the rotation. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

BUSINESS ITEMS:

II. SPEED BREAKERS

President Evans asked Council if a citizen from their individual ward approaches him or her about the speed breakers in their area being too high, he would like it to be a matter of record that Council will write a letter to City Public Works, requesting that they shave the speed breaker down. A motion was made by Councilwoman Martin, and seconded by Councilman Williamson, to authorizing Public Works to go and shave down the speed breaker in an effort that cars will not get damaged. **The motion carried with a unanimous vote (show of hands) of the Council.**

III. NOISE ORDINANCE

President Evans stated Councilwoman Allen has a report she would like to make which she will report on when she makes her report.

STANDING COMMITTEE REPORTS

ADMINISTRATIVE COMMITTEE - COUNCILMAN CECIL WILLIAMSON, CHAIRPERSON

During discussion, a motion was made by Councilman Leashore, and seconded by Councilman Williamson, to abolish the consent decree. **The motion carried with a unanimous vote (show of hands) of the Council.**

PUBLIC SAFETY COMMITTEE - COUNCILWOMAN GERALDINE ALLEN, CHAIRPERSON

Councilwoman Allen stated the committee met today at 1:00 p.m., in the Council Chambers, along with herself, President Evans, Councilwoman Martin, Councilman Randolph, Mayor Perkins, and Chief of Police Martin. Mr. Samuel Randolph, Sr., a citizen, was also in attendance. Under the business, they talked about the Crime Task Force recommendations. Mr. Rutledge, of the TrustBuild, is preparing a document on the recommended testing for E-911 operators for the Council. Each committee member and the Chief of Police were given a copy of a proposal for a comprehensive police study to review in order to discuss at the next committee meeting. Chief Martin discussed reports on noise, curfew and crime. The committee would like the Council to review the noise ordinance again. Chief Martin reviewed the zones and the process by which police patrol is administered. The committee agreed that there is a need for increased patrol in Ward 8, which is in zone 6, and they are going to review that. A complaint of realtors of increased vandalism. Mayor Perkins stated that Chief Martin and himself had already spoken with the Realtor Association and plans are being made to assist in this problem. Chief Martin is reviewing new techniques as it relates to fingerprinting to assist with the capturing of offenders. Mayor Perkins would like to review the possibility of purchasing more updated surveillance in the City. "The Right to Resist Arrest" was also discussed and Mayor Perkins stated it would be discussed at tonight's Council meeting. Mayor Perkins addressed the Council as it relates to "The Right to Resist Arrest", stating it is a very serious issue. Mayor Perkins stated on two separate occasions members of the Selma Police Department have been confronted and at least in one instance, physically attacked by citizens, saying they have a right to resist their arrest. Mayor Perkins further stated that everyone needs to know that this is very dangerous. Mayor Perkins also stated he strongly discourages citizens from getting involved, trying to make those type of determinations on the street; that is an issue for the Court to decide. Mayor Perkins strongly encourages citizens to discontinue this mind-set or notion that they have a right to resist an arrest of the Police Department because we do not want to see anyone get hurt as a consequence of this action. Mayor Perkins stated he is making a strong appeal in that regard. Mayor Perkins further stated there is an increase in the number of problems, purse snatchings and this kind of crime. Mayor Perkins also stated he has met with the District Attorney and has talked with the District Judge about this issue of multiple offenders and how frequently they are being let out of jail. Mayor Perkins further stated he is in receipt of a report from Chief Martin showing out of 11 people that have been arrested in the City of Selma on multiple robberies, thefts, burglaries, 9 of them were back on the streets, and all of them has had more than one arrest. Mayor Perkins stated the Police Department is doing its job, but it cannot control the process of the judicial system whereby people have to be given due process. Mayor Perkins further stated they are meeting with the Police Department, District Attorney, and the Judges, discussing how to address this multiple offender issue, in order to get a better handle on this situation. Mayor Perkins also encourages

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citizens who have family members who are on drugs to get some rehabilitation treatment for them. President Evans and the Council went on record, stating that they agree that all of this has to end and will be in support in terms of the law, agreeing with what Mayor Perkins said. Council members unanimously gave a show of hands of support. Councilwoman Crenshaw also asked Attorney Nunn to research and bring to the Council the statute on habitual offenders at the next work session.

COMMUNITY DEVELOPMENT COMMITTEE - COUNCILWOMAN BENNIE CRENSHAW, CHAIRPERSON

Councilwoman Martin addressed the Council, and stated almost a year ago, Mr. Alvin Benn addressed the Council and requested that the theater part of the Performing Arts Center be named in honor of Ms. Kitti Windham, who had died. Councilwoman Martin stated the Council voted to do that, but failed to proceed with it. Councilwoman Martin further stated Ms. Kathryn Windham asked her if the Council still plans to do that? Councilwoman Martin apologized to Ms. Windham for it not having been done as of yet. Councilwoman Martin stated she would like the Council's permission to take care of having that done. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Venter, to proceed with this process of naming the theater in honor of Ms. Kitti Windham. **The motion carried with a unanimous vote (show of hands) of the Council.**

PUBLIC WORKS COMMITTEE - COUNCILWOMAN VENTER, CHAIRPERSON

Councilwoman Venter stated the Committee met on Tuesday, October 18th at 5:00 p.m. Members present were Councilwoman Venter, Councilwoman Allen, Assistant Public Works Directors Henry Hicks, Jr. and Tommy Smith; others present were Mayor James Perkins, Jr., Community Outreach Director, Sherri James, Community Outreach Liaison, Gloria Simmons, Community Outreach Liaison, Mashawn Hunter, and Public Works Clerk, Lakisha Jones. Councilwoman Venter began the meeting by addressing two large piles of dirt and the overgrown lot across from the Community Outreach Building. Mr. Tommy Smith advised Councilwoman Venter that the lot was on private property. Councilwoman Venter requested Mr. Tommy Smith to check the water standing in front of Clark School. Councilwoman Venter requested a resolution for keeping the drainage ditches unclogged, due to garbage, as well as, grass and weeds. Mr. Tommy Smith stated his efforts to hire a pesticide contractor to come in and spray the ditches, which would help prevent the overgrowth of grass and weeds. Mayor Perkins added that Community Outreach will also be helping to resolve issues like these. Mr. Henry Hicks and Mr. Tommy Smith requested each Council person to contribute a portion of their discretionary funds to help with the TrustBuild Project and Community Outreach in each zone. Mayor Perkins requested that each Council person give \$2500 towards the TrustBuild Project, and Councilwoman Venter concurs. Councilwoman Allen stated that the request should be taken before the Council. Councilwoman Allen requested a copy of the TrustBuild actions that the Public Works Department is addressing. Mayor Perkins addressed the committee with the problems of the streets, stating that the cost to efficiently repair the streets would cost millions. Ms. Sherri James addressed the Committee as to how the Community Outreach Liaisons would interact with the public. Councilwoman Venter commended the Public Works Department for all of the wonderful work it is doing.

RECREATION COMMITTEE - COUNCILMAN JOHNNIE LEASHORE, CHAIRPERSON

There is no report for the Recreation Committee. Councilman Leashore stated that there will be a Ward 6 Meeting on November 2nd at Plant Street Baptist Church.

DISCRETIONARY FUNDS COMMITTEE - COUNCILWOMAN CRENSHAW, CHAIRPERSON

President Evans stated on tonight the Council had collected a total of \$9,600.00 for Discretionary Funds.

CLOSING REMARKS BY EACH COUNCIL MEMBER (2 MINUTE LIMIT)

Councilwoman Venter - Councilwoman Venter needs to know what each Council member will contribute to TrustBuild.

CLOSING REMARKS BY EACH COUNCIL MEMBER (2 MINUTE LIMIT)

Councilman Cain - No Comments.

Councilman Randolph - No Comments.

Councilwoman Martin - Councilwoman Martin stated she is not donating any money to capital improvements until the house she begged for five years to be torn down, is down.

Councilwoman Allen - No Comments.

Councilman Leashore - Councilman Leashore stated he would like to say that 2007 is fast approaching us, and this City can only move forward with the support of the Council people. Councilman Leashore stated he has for the last several years seen there has been "special interest" that is not in the best interest of the Council and this City. Councilman Leashore respectfully request of those people who do not have any interest in this City, to vacate their seat and allow people with progressive thinking to take their seat. Councilman Leashore stated we need to move the City forward and the only way to do that is, to do it together.

Councilman Williamson - Councilman Williamson stated, as he has said before, he certainly plans to vacate this seat after the next two years, but until then he wants to be fiscally responsible and that will not include giving any more money to Public Works and to TrustBuild. Councilman Williamson stated Public Works budget increased almost \$100,000.00 this year, and then we have \$400,000.00 or \$500,000.00 in TrustBuild- he does not know why they would need \$20,000.00 more, two weeks into the budget year.

Councilwoman Crenshaw - Councilwoman Crenshaw stated she would like to echo what Councilman Leashore has already said; we have to move into the future for Selma. Councilwoman Crenshaw further stated as we do things that we will do them in good faith, keeping in mind to do what citizens would want from them as Council members. Councilwoman Crenshaw also made a request to Councilman Williamson to make sure he cleans up before leaving. Councilwoman Crenshaw stated, as a Council, before receiving any diversity training, they, as a Council, will have to look within their hearts, to see who they are, and what they represent; then, they can move into trying to be diverse.

President Evans - President Evans reminded Council members to contact Ms. Johnson and inform her as to whether or not they would like to meet with Mr. Bumbrey. President Evans stated he appreciates the meeting.

ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilman Leashore, and seconded by Councilwoman Martin, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 8:33 p.m.



GEORGE P. EVANS, COUNCIL PRESIDENT

ATTEST:



LOIS WILLIAMS, CITY CLERK

APPROVED:



JAMES PERKINS, JR., MAYOR