

MINUTES OF THE SELMA CITY COUNCIL
MAY 29, 2007
5:00 P.M.

Call to Order

Invocation: Reverend Michael Brown
Grace Fellowship Baptist Church

Pledge of Allegiance

Roll Call

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday May 29, 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, Johnnie M. Leashore and Jannie M. Venter. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, City Attorney Jimmy Nunn, Mayor's Executive Assistant Darlene Rudolph and City Treasurer Cynthia Mitchell. Councilman Cain, Councilman Randolph and Councilwoman Crenshaw were absent during roll call. Councilman Cain arrived at 5:14 p.m. Councilman Randolph arrived at 5:24 p.m.

APPROVAL OF AGENDA:

President Evans asked for the approval of the agenda items. A motion was made by Councilwoman Martin and seconded by Councilwoman Allen to approve the agenda with deletions. **The motion carried with a majority (show of hands) vote of the Council members present. There were five ayes and one abstention. Councilman Leashore abstained from voting.**

APPROVAL OF MINUTES:

After approval of the agenda, President Evans asked for a motion to approve the minutes of the April 30, 2007 regular meeting. A motion was made by Councilwoman Martin and seconded by Councilwoman Venter to approve the minutes as written. **The motion carried with a unanimous (show of hands) vote of the Council members present.**

President Evans also asked for a motion to approve the minutes of the May 14, 2007 regular meeting. A motion was made by Councilwoman Martin and seconded by Councilwoman Venter to approve the minutes as written. **The motion carried with a majority (show of hands) vote of the Council members present. There were five ayes and one nay vote. Councilman Leashore cast a nay vote.**

CITY'S SUMMER JOBS LOTERY

As per direction of Ms. Val Jones, each Council member present and a representative from the wards of those Council members who were absent selected 11 names from a pool of applications. Mayor Perkins and President Evans each selected 11 names from a pool of applications. Ms. Jones stated these applicants would be notified for interviews by the Personnel Department for summer jobs.

CITIZENS' REQUESTS

Mr. Myers Hawkins, III
Re: Presentation - School of Discovery

MAYOR'S REPORT

A. Audit Report. Mayor Perkins stated he would like to acknowledge, for the record, that the Council has received the following five items: (1) 2006 Audit Report, (2) 2006 Management Letter, (3) Response to Councilman Williamson's letter, (4) Reply by the Finance Department, and (5) Reply to Correspondence from Reid Cain. Mayor Perkins stated the Auditors are present and asked Mr. Barranco to come forward to address the Council. Mr. Barranco addressed the Council as per items questioned in the audit. During discussion, President Evans asked the Council members to address all questions pertaining to the audit, in writing, to him copied to the Mayor and he will discuss them with Mayor Perkins and the Finance Department to get an answer "in-house", pertaining to the documents the Council has received tonight. President Evans further stated that if it cannot be obtained "in-house", they would go through a procedure to contact the auditors to get all answers at one time. Councilman Cain stated he concurs and he would like the record to reflect that his "question still pertains copies of 2006 resolutions the Council passed that amended the budget \$909,358.00."

Councilman Cain left the chambers briefly and returned at 6:04 p.m.

MAYOR'S REPORT

B. Recognition of City Employees. Mayor Perkins stated he would like to present Certificate of Service Awards and recognize the following employees: *Selma Police Officer Evelyn Ghant*; Five Years of Dedicated Service to the City of Selma, *Selma Police Officer Curtis Muhammad*; Five Years of Dedicated Service to the City of Selma, *Larry Purifoy, Selma Police Department*; Ten Years of Dedicated Service to the City of Selma, *Lee Walker, Public Works Department*; Five Years of Dedicated Service to the City of Selma, and *Roosevelt Walker, Recreation Department*; Fifteen Years of Dedicated Service to the City of Selma. Each employee was also presented with a Longevity Pin.

C. Resolution - #R195-06/07 Sewer Project Resurfacing. Mayor Perkins asked Ms. Charlotte Griffeth to come forward to address the Council. Ms. Griffeth addressed the Council as per resolution #R195-06/07. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter to approve said resolution. A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were six ayes. Councilman Cain was absent from the Chambers during roll call on this motion. Councilwoman Crenshaw was absent from the meeting.

D. Resolution - #R194-06/07 - YouthBUILD. Ms. Griffeth also addressed the Council as per resolution #R194-06/07. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter to approve said resolution. A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were six ayes. Councilman Cain was absent from the Chambers during roll call on this motion. Councilwoman Crenshaw was absent from the meeting.

E. IAG/COMBAT Crime Phase III Agreement. Mayor Perkins stated this agreement is received every year in conjunction with the County and the County will be receiving 50 percent of this money and the City 50 percent in the amount of \$26,743.50 each. A motion was made by Councilwoman Martin and seconded by Councilman Randolph to approve the said agreement. A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were six ayes and one abstention. Councilman Cain abstained from voting.

F. Good Samaritan Update. Mayor Perkins stated the Council has been given copies of the Good Samaritan Update in their packages.

G. Employee Requests for Salary Increases. Mayor Perkins stated the Council has been given copies of requests for step increases and position upgrades from various city employees and departments. Mayor Perkins stated the spreadsheet has been given to the Council to review and vote on at the next Council meeting. Mayor Perkins asked the Council to address their questions to his office, not to the employees and he will work through the HR Department to get the answers that are needed. Mayor Perkins stated, for the record, there are 12 requests, one from the Fire Department, one from the City Attorneys Office, two from Public Works, two from Finance, one from the Police Department, three from Personnel, and two from the City Clerk's Office, on the spreadsheet, which shows the department, employee name, hire date, current job title and annual salary, the requested salary, the variance that will be represented by the salary approved and the reason for the request. President Evans asked Mayor Perkins if he is recommending these changes. Mayor Perkins stated he is asking the Council to vote up or down and he will be prepared to make his recommendation on each individual item when the Council is prepared to vote. President Evans stated he will refer this item to the Administrative Committee to bring back a recommendation based on this request.

EXECUTIVE SESSION

President Evans requested a motion to recess into executive session, and stated the reason and length of time needed. A motion was made by Councilwoman Martin and seconded by Councilman Randolph to recess this meeting into executive session to discuss matters of information with Chief Martin, along with consultants Dr. Ioimo and his son, at 6:27 p.m. for a period of approximately twenty minutes. The motion carried with a unanimous vote (show of hands) of the Council members present.

Following executive session, a motion was made by Councilwoman Martin and seconded by Councilwoman Venter to reconvene the meeting into regular session at 6:50 p.m. The motion carried with a unanimous vote (show of hands) of the Council members present.

CITY ATTORNEY'S REPORT

A. **Lawsuit - Ledbetter vs City of Selma.** Attorney Nunn stated the judge has requested an order to dismiss this case and it is expected to be dismissed.

B. **Ordinance #O119-06/07 Sales Tax Holiday.** Attorney Nunn stated this ordinance is to exempt certain covered items from the Sales & Use Tax during the first full weekend in August of this year, 2007, as authorized by Act 2006-574, generally referred to as the State Sales Tax Holiday Legislation. Beginning on August 3, 2007 at 12:01 a.m. and ending on August 5, 2007 at 12:00 midnight. A motion was made by Councilwoman Martin and seconded by Councilman Leashore to approve said ordinance. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

C. **Selma City School Board Consent Decree.** Attorney Nunn stated the decree was sent to the judge on the 17th of May and he is still waiting on an answer, and will update the Council accordingly.

D. **Environmental Court.** Attorney Nunn stated Judge Chittom has submitted a report regarding the environmental court and a copy has been given to the Council. President Evans stated should review this information and it will be continued until the next Council meeting.

E. **Selma-Dallas County Historic Preservation Society - Heritage Village.** Attorney Nunn addressed the Council on this matter briefly, and asked the Planning & Development Office to come forward to address the Council with specific information as it relates to Heritage Village. Mrs. Patty Sexton addressed the Council. Attorney Nunn was asked to prepare an ordinance for adequate consideration. A motion was made by Councilwoman Martin and seconded by Councilwoman Venter to have Attorney Nunn to prepare said ordinance to transfer this property to the Historic Preservation Society. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

F. **St. James Hotel - Termination of Lease Agreement.** Attorney Nunn asked the Planning & Development Office to come forward to address the Council with specific information as it relates to the St. James Hotel. President Evans stated the Council has a letter asking for the termination of the agreement between the St. James Investors Group and the City of Selma, it is a good contract for the Council to move forward with accepting this agreement, and he understands that the Mayor is also on board with this process. Attorney Nunn stated he will meet with the attorneys to prepare a "no-fault"- "no-fault" termination agreement and all details will be taken into consideration in that agreement. A motion was made by Councilwoman Martin and seconded by Councilwoman Allen to accept this termination of lease agreement and give Attorney Nunn the opportunity to move forward with this action. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

G. **Farmer's Market.** Councilman Williamson asked if the deed to the Farmer's Market has been received yet. Attorney Nunn stated no, however, he is working on this matter and it has been brought before the Council for approval to accept this piece of property for one dollar. Attorney Nunn stated the County has to vote on this as well, it is being discussed, but has not been presented to the County Commission. Attorney Nunn stated after this is done it will be presented to the State of Alabama to have the deed presented back to the City of Selma.

BUSINESS ITEMS:

I. **RULES AND PROCEDURES FOR COUNCIL MEETING**

President Evans asked if there was any reason to further discuss this matter. Councilman Leashore stated the Council should adhere to the rules and regulations of the Council due to some violations. President Evans stated he would like the record to reflect that during dialog "you talk, somebody else talks, and he talks again, then that's more than two" and that's how that procedure works.

II. **AMOUNT OF UNPAID GARBAGE FEES OWNED UPDATE - AMOUNT OF UNPAID COURT FINES OWNED UPDATE**

Mayor's Executive Assistant Mrs. Darlene Rudolph stated this item is still ongoing.

BUSINESS ITEMS:

III. E-911 TOWER UPDATE

Mayor's Executive Assistant Mrs. Darlene Rudolph stated they are still waiting on figures to address this item.

IV. HIRING FREEZE (ACCOUNTANT)

Mayor's Executive Assistant Mrs. Darlene Rudolph stated the hiring freeze is still on except for essential positions, such as for the Finance Department.

V. RECONCILE FY 2005-2006 AUDIT FIGURES/REQUEST FOR INFORMATION

President Evans stated items X, XI, XII, and XIII have been taken care of with the audit report.

VI. NAMES OF CERTIFIED POLICE OFFICERS, AND DATE EACH WAS HIRED

President Evans stated this item would be continued until the next Council meeting.

VII. WRITTEN ANSWERS FROM CLERK CONCERNING BUCKET TRUCK/ZERO TURN BID

President Evans stated this information has been received.

VIII. APPROVE \$350,000.00 DRAW DOWN

Councilman Williamson asked if this has been approved. President Evans stated he asked the Council Secretary and the City Clerk to check the minutes on this item. During discussion, a motion was made by Councilman Cain and seconded by Councilman Williamson to approve the \$350,000.00 line of credit with Regions Lease Incorporation with a variable rate of interest, and prepare in the form of a resolution because it is an expense item. **A roll call vote was taken and the motion passed with a unanimous vote of the Council member present.**

IX. INERT TRASHFILL WALK-THROUGH (JUNE 1ST - 10:00 A.M.)

President Evans reminded the Council of the walk-through, this Friday, June 1st at 10:00 a.m. at the All-Lock Building.

X. POLICE OFFICERS COMPLAINT UPDATE

President Evans stated he feels better about this item, and will ask Councilwoman Allen to give a report from the Public Safety Committee to update the citizens.

XI. STORAGE CABINET FOR COUNCIL'S OFFICE

President Evans this information was shared with the Council on Thursday work session. A motion was made by Councilwoman Martin and seconded by Councilwoman Venter to approve the purchase of a storage cabinet for the Council's office to come out of the non-fixed assets line item. **A roll call vote was taken and the motion passed with a unanimous vote of the Council member present.**

XII. COUNCIL'S WEBPAGE CONTENT

President Evans reminded the Council members to give Ms. Johnson their information for web content.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Leashore, Chairperson

No Report.

ADMINISTRATIVE COMMITTEE - Councilman Dr. Cecil Williamson, Chairperson

Councilman Williamson stated an Administrative Committee meeting will be held on Monday, June 4, 2007 at 5:30 p.m.

STANDING COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE - Councilwoman Dr. Geraldine Allen, Chairperson

Councilwoman Allen reported. Copy of minutes attached.

COMMUNITY DEVELOPMENT COMMITTEE - Councilwoman Bennie Ruth Crenshaw, Chairperson

No Report.

PUBLIC WORKS COMMITTEE - Councilwoman Venter, Chairperson

Councilwoman Venter reported. Copy of minutes attached.

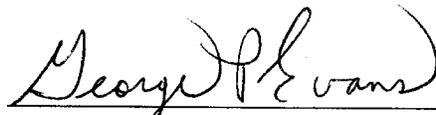
DISCRETIONARY FUNDS COMMITTEE - President Evans, Chairperson

No Report.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

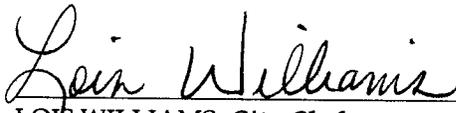
ADJOURNMENT

Following discussion of the above, a motion was made by Councilman Leashore, and seconded by Councilwoman Allen, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 7:37 p.m.



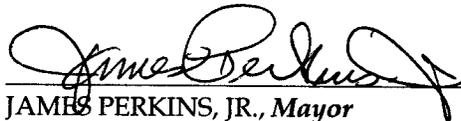
GEORGE P. EVANS, *Council President*

ATTEST:



LOIS WILLIAMS, *City Clerk*

APPROVED:



JAMES PERKINS, JR., *Mayor*