

**MINUTES OF THE
SELMA CITY COUNCIL
MONDAY, JANUARY 10, 2005**

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, January 10, 2005 at 5:00 p.m. with the following members present: Council President George Evans and Council members Cecil Williamson, Reid Cain, Jean T. Martin, Geraldine Allen, Samuel L. Randolph, Johnnie M. Leashore, Bennie R. Crenshaw and Jannie M. Venter. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, City Treasurer Cynthia Mitchell, City Attorney Jimmy Nunn and the Mayor's Administrative Assistant Sherri James. Reverend Doctor Kenny Hatcher gave the invocation.

After roll call, President Evans declared a quorum present and the meeting was opened for the transaction of business as set forth on the agenda. A motion was made by Councilwoman Martin to approve the agenda as written. **The motion carried with a unanimous vote of the Council.**

After approval of the agenda, President Evans asked for a motion to approve the minutes of the last meeting. A motion was made by Councilwoman Martin and seconded by Councilwoman Venter to approve the adoption of the minutes of December 13, 2004. **The motion carried with a unanimous vote of the Council.**

I. MAYOR'S REPORT

A. Presentation - Mrs. Sherri James-Cancer Survivor. Mayor Perkins asked Mrs. Brenda Tuck and Mrs. Pam Bostick to come forward for a special request presentation from the mayor and Council. Mrs. Bostick is absent per Mrs. Tuck, who presented Mrs. Sherri James with the 2003-2004 Community Volunteer of the Year Award for Dallas County. In the presence of her family and friends, Mrs. James was also presented with a second award, the 2003-2004 Community Volunteer of the Year Award for the State of Alabama. Mrs. James expressed her heartfelt appreciation for this occasion.

B. Letter - WilsonPrice Auditing Firm. Mayor Perkins stated the Council has correspondence from WilsonPrice auditors stating they have finished their fieldwork and reports and the final draft of the audit report for the fiscal year 2003-2004 will be presented to the Council at the next Council meeting.

C. Memo of Understanding - Selma Water Board. Mayor Perkins stated the Council has a copy of a memorandum of understanding prepared by the Water Board attorney that will formally define the relationship between the Selma Water Board and the City of Selma. Mayor Perkins asked the Council to review this document and prepare to vote favorably at the next Council meeting.

D. Resolution - Copier-City Hall. Mayor Perkins asked Ms. Lois Williams, City Clerk to come forward to address the Council regarding a resolution pertaining to bids and acquisitions. Ms. Williams stated as a result of the bid process for a copier, the City would experience a \$386.25 per month savings from \$635.00 per month to \$248.75, for a period of 60 months purchase price of \$12,500.00 and a \$1.00 buyout option. Ms. Williams asked the approval of the Council for this resolution.

Following call for question by President Evans; he asked should the Council be in receipt of a copy of this resolution prior to this meeting. Councilman Leashore stated this applied to Council members and not the Mayor's office. During discussion, a motion was made by Councilwoman Allen and seconded by Councilwoman Martin to make an exception for the approval of the resolution as presented by Ms. Williams. **The motion carried with a unanimous vote of the Council.** A motion was made by Councilwoman Leashore and seconded by Councilwoman Martin to approve the said resolution for the purchase of the copier for City Hall. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

Following discussion of this vote and prior arrangements for procedures for voting on resolutions, a motion was made by Councilwoman Allen and seconded by Councilwoman Crenshaw to exclude the Mayor's office from this procedure when presenting resolutions or ordinance of a financial nature. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were five affirmative votes and four negative votes. President Evans, Councilman Williamson, Councilman Cain and Councilwoman Martin all cast negative votes.**

E. Monument - Reverend James Reeb. Mayor Perkins stated the Council has a copy of the memo and attachment of the monument proposal for Reverend James Reeb on Washington Street. Mayor Perkins stated per Council request a copy of the monuments appearance is attached. Following discussion, President Evans stated he would refer this matter back to the committee assigned to bring a report back to the Council at the next meeting.

I. MAYOR'S REPORT

F. Health Insurance/Retirement. President Evans stated there is a basic question regarding the health insurance issue that he would like to ask Mayor Perkins to address this matter. During discussion, Mayor Perkins stated the proposal is to reduce the amount of the retiree health insurance premium paid by the City of Selma by fifty percent. Mayor Perkins stated Ms. Pauline Williams, Insurance Analyst has been asked to be present to address questions from the Council concerning this matter. Later, President Evans allow Mr. Mike Cutler and others to address the Council regarding this matter.

II. CITY ATTORNEY'S REPORT

A. Procedure for Application for Alcoholic Beverages. Attorney Nunn stated the Council has a copy of the procedures for approval of alcoholic beverage licenses. Attorney Nunn stated this procedure has eight steps and he asks if the Council would review and prepare to approve at the next Council meeting if possible. Following discussion, President Evans stated it is the consensus of the Council to suspend the rules for a majority vote of the approval of future alcoholic beverage licenses after this procedure is completed and presented to the Council.

B. Contract – Light Fixture Repairs – Recreation Department. Attorney Nunn stated he has a contract from Coach Elton Reece and City Treasurer Cynthia Mitchell for Council approval dealing with the lighting fixtures at the stadium that needs replacement. Attorney Nunn stated the cost to replace these lights would be approximately \$4600.00 to contractor Charles Grant. Following discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Martin to approve the said contract. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

C. Claim – Pending the City of Selma. Attorney Nunn stated the claim pending against the City of Selma regarding Beatrice Martin vs. Jackie Alonza Struggs has been settled. Attorney Nunn stated this is informational to the Council. Attorney Nunn further stated figures for this claim and other claims settled will be reported to the Council at the next Council meeting.

D. Approval of Leash Law . Attorney Nunn stated the Council has a copy to review for the leash law and asks what is the Council decision at this time. President Evans stated this item would be continued until the next Council meeting.

E. Revised Smoking Ordinance #O105-04/05. Attorney Nunn stated this revision concerns bars and the omission of bars from this ordinance, and hotel and motel designation of twenty-five percent for smoking. Attorney Nunn further stated the third and fourth revision concerns the footage that one can be allowed to smoke outside a facility, and the establishment designation as smoke-free or smoking. Following discussion, a motion was made by Councilwoman Crenshaw and seconded by Councilwoman Martin to approve the said ordinance to be placed on first reading and act upon at the next Council meeting. **The motion carried with a unanimous vote of the Council.**

F. Ordinance #O106-04/05-Rezoning. A motion was made by Councilwoman Crenshaw and seconded by Councilman Randolph to suspend the rules to adopt the said rezoning ordinance. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.** A motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore to adopt the rezoning ordinance. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

BUSINESS ITEMS:

III. CURFEW ORDINANCE

Councilman Cain this ordinance will be addressed during the Safety Committee report.

IV. FY 2004-2005 BUDGET

President Evans asked for discussion from the Council on this item. A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to passed the proposed 2004-2005 budget as presented by the Mayor. During discussion, both Councilman Williamson and Councilman Cain expressed concerns for changes made the proposed budget and stated they would not vote for passage of this budget. President Evans stated several items were discussed during the work session and some explanations were given regarding the names of

BUSINESS ITEMS:

some key positions in the budget. During discussion, a motion was made by Councilman Cain and seconded by Councilman Williamson to amend the original motion to include names of all employees in the final budget. **A roll call vote was taken and the motion failed for lack of a favorable majority vote. There were only four affirmative votes and five votes against this amendment. Councilwoman Allen, Councilman Randolph, Councilman Leashore, Councilwoman Crenshaw and Councilwoman Venter each cast negative votes.** After further discussion, a motion was then made by Councilman Williamson and seconded by Councilman Cain to table the approval of the 2004-2005 budget until the next Council meeting. **A roll call vote was taken and the motion failed for lack of a favorable majority vote. There were only four affirmative votes and five votes against tabling this budget. Councilwoman Allen, Councilman Randolph, Councilman Leashore, Councilwoman Crenshaw and Councilwoman Venter each cast negative votes.** President Evans stated the original motion made by Councilman Leashore to approve the 2004-2005 budget is now open for a vote. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were six affirmative votes and three votes against passage of this budget. President Evans, Councilman Williamson and Councilman Cain each cast negative votes.**

V. VICIOUS DOGS

Councilman Cain stated these items would be addressed during the Public Safety committee report.

VI. NOISE ORDINANCE

Councilman Cain stated these items would be addressed during the Public Safety committee report.

VII. WORK SESSION DISCUSSION

Following discussion, the consensus of the Council would be to hold work sessions as President Evans deems necessary.

VIII. ELECTED OFFICIALS PHOTOGRAPH

Following discussion, President Evans stated it is the consensus of the Council to request Mr. Jerome Deese to make photographs of the current Council.

IX. COUNCIL MEMBERS TRAVEL

Councilman Williamson stated a budget was just approved including \$40,000.00 for travel for the Council and he would like to make a recommendation to divide these funds equally by nine, giving about \$4,400.00 for each member for travel for this fiscal year. Following discussion, a motion was made by Councilman Williamson and seconded by Councilman Cain to divide this travel fund equally by nine. An amendment to this motion was also made by Councilman Cain to designate a member of the Council to attend seminars on behalf of the Council. **The motion failed for lack of a favorable majority vote of the Council.** President Evans stated the original motion made by Councilman Williamson to divide this travel fund equally by nine is now open for a vote. **The motion failed for lack of a favorable majority vote of the Council.**

XI. CITIZENS REQUEST

- Reverend John C. Jones – Addressed the Council Re: Request payment for services. Following discussion on this matter, a motion was made by Councilman Williamson and seconded by Councilman Leashore for the Council to donate \$50.00 from their discretionary funds to pay Mr. Jones in the amount of \$450.00, because the service has already been rendered. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one vote against payment for this service, which was cast by Councilwoman Venter.** Councilman Williamson further stated he would like to ask Attorney Nunn to try to recoup this amount from the owners.
- Ms. Sarah Harris - Addressed the Council Re: March of Dimes. She stated she preferred a group donation.
- Mr. Mike Cutler, Dr. David Evans & Mr. Bill Hamner - Addressed the Council Re: Representing city employees/retired city employees.

X. STANDING COMMITTEE REPORTS

RECREATION COMMITTEE

Councilman Randolph stated he needs to meet with Coach Reese again and will bring a report to the Council at the next Council meeting.

ADMINISTRATIVE COMMITTEE

Councilwoman Allen stated Attorney Nunn has already reported on the smoking ordinance and he is also working on the school board.

PUBLIC SAFETY COMMITTEE

Councilman Cain stated the committee met on December 16, 2004 and discussed options for a full time and part time judges for municipal court, however, there was no conclusion made in this process. Councilman Cain stated the interview process was also discussed regarding the procedure to handle this matter. Councilman Cain further stated various ordinances were discussed during this meeting as well. Councilman Cain stated during this meeting they decided on Tuesday, January 4, 2005 as the date to start the interview process, from 1:00 p.m. to 5:30 p.m., although due to circumstance and availability of some Council members, this date was changed to Thursday, January 6, 2005 beginning at 4:00 p.m. Councilman Cain stated there were eight candidates and he would like to meet with the Public Safety Committee on Wednesday, January 12, 2005 at 4:00 p.m. to continue discussions on this matter. Following further discussion, Mayor Perkins made a recommendation to transfer this issue to the Administrative Committee for review and assessment of personnel and job description matters. A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to accept the recommendation made by the Mayor. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were five affirmative votes and four negative votes. President Evans, Councilman Williamson, Councilman Cain and Councilwoman Martin each cast negative votes.**

During discussions of this item, the public became out of order and President Evans asked the Mayor if he would have two police officers present during the Council meetings to keep order if the need arrives.

COMMUNITY DEVELOPMENT COMMITTEE

There is no report for the Community Development Committee.

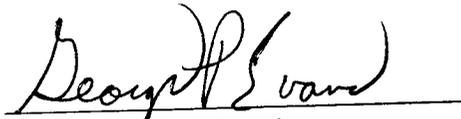
PUBLIC WORKS/GENERAL SERVICES

There is no report for the Public Works/General Services Committee.

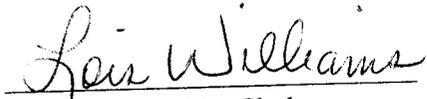
DISCRETIONARY FUNDS COMMITTEE

Councilwoman Crenshaw stated a total of \$1,050.00 has been contributed from Council discretionary funds.

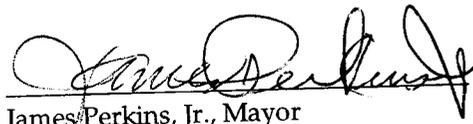
There being no further business to come before the Council, on motion made by Councilwoman Crenshaw and seconded by Councilwoman Allen, the Council voted by unanimous consent to adjourn this meeting at 8:33 p.m.


George P. Evans, President

ATTEST:


Lois Williams, City Clerk

APPROVED:


James Perkins, Jr., Mayor