

**MINUTES OF THE  
SELMA CITY COUNCIL  
MAY 12, 2008  
5:00 P.M.**

Call to Order

Invocation: Reverend Steve Kopp  
Church Street United Methodist Church

Presentation – Impact 2008

Moment of Silence

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, May 12, 2008 at 5:00 p.m.

**ROLL CALL**

The following members were present during roll call: Council President George Evans and Council members Cecil Williamson, Jean Martin, Johnnie M. Leashore, Bennie R. Crenshaw and Jannie M. Venter. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, City Attorney Jimmy Nunn, Accounting Supervisor Erma Roberts, and the Mayor's Executive Assistant Darlene Rudolph. President Evans stated that Councilman Cain is on his way, and he arrived shortly after roll call at 5:07 p.m.; that Councilman Randolph is away in Virginia doing National Guard duty; and that Dr. Allen is "under the weather" and will not be present tonight.

**APPROVAL OF AGENDA**

President Evans asked for the approval of the agenda items. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to approve the agenda as written. **The motion carried with a majority (show of hands) vote of the Council members present. There were six affirmative votes and one nay vote. Councilman Leashore cast a nay vote.**

**APPROVAL OF MINUTES**

After approval of the agenda, President Evans also asked for a motion to approve the minutes of the April 28, 2008 Regular meeting. A motion was made by Councilman Leashore and seconded by Councilwoman Venter to approve the minutes of April 28, 2008 as written. **The motion carried with a unanimous (show of hands) vote of the Council members present. There were six affirmative votes and one nay vote. Councilman Cain cast a nay vote.**

**CITIZENS' REQUESTS**

Mr. Steve Grossman

Re: Dallas County Arts Alliance

A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to endorse or support Selma Taking Flight. An amended motion was made by Councilman Williamson and seconded by Councilwoman Martin that the final action would be made under the condition that the site locations are brought back to the Council for approval. **The motion carried with a unanimous (show of hands) vote of the Council members present.**

Mr. Robert Crum

Re: Taking Back our Streets

Mr. Brandon Williams

Re: Selma High School Band

A motion was made by Councilman Cain and seconded by Councilman Leashore to provide \$3,700.00 to Selma High School Band for bus transportation from the Council's travel budget provided there are available funds pending other expenditures. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

**MAYOR'S REPORT**

**A. Proclamation - AmeriCorps Week - May 11th-17th.** Mayor Perkins asked that Ms. Gwen Cleveland, Director of AmeriCorps, would come forward at this time along with all of the AmeriCorps members. Mayor Perkins stated this is AmeriCorps Week, and he read the said proclamation in its entirety stating that AmeriCorps has 126 members and alumni. Ms. Cleveland stated that there will be a "Get to know the Program" scheduled for Thursday, May 15<sup>th</sup> from 5pm – 7pm at PAL's Gym.

**B. Proclamation - Clark Elementary School.** Mayor Perkins asked that Ms. Wanda McCall, Principal, Clark Elementary School, students and faculty would come forward at this time. Mayor Perkins stated that this is another outstanding achievement and another opportunity to honor our children for their performance. Mayor Perkins read the said proclamation in its entirety, stating that the Council expresses their profound gratitude and appreciation to the principal, faculty and students at Clark Elementary School for their amazing performance during the Math Tournament.

**MAYOR'S REPORT**

C. **Recognition – Preserve America.** Mayor Perkins read as per letter of congratulations for the upcoming event recognizing Selma's designation as a 2007 Preserve America Community. Mayor Perkins further stated that as a Preserve America Community, Selma is eligible to apply for grants under the Preserve America grant program. A ceremony will be held on May 29<sup>th</sup> at 4:00 p.m. at City Hall.

D. **Resolution - #R190-07/08 Fourth of July.** Mayor Perkins stated that he would like to ask Ms. Charlotte Griffeth, Community Development Director, to come forward. Ms. Griffeth addressed the Council as per the said resolution for the annual Fourth of July Celebration, requesting permission to transfer \$3,000.00 from the Grants Matching Funds line item to the Special Events line item to cover related expenses associated with the annual Fourth of July Celebration. A motion was made by Councilman Leashore and seconded by Councilwoman Venter to approve the said resolution. Councilman Cain stated that in the past \$25,000.00 had been used for the project, so with the cost of the event going up and some other issues, he would like to amend the resolution to increase the line item to \$25,000.00. Councilman Leashore stated that he does not understand what Councilman Cain is asking, but what he is proposing is to give Community Development the amount of money that they are requesting. Councilman Cain stated that what Community Development is requesting is for estimated expense, in the past they have spent \$25,000.00 and used the budget line item in full, and what he is asking the council to do is go back to the \$25,000.00 used in the past for this event. President Evans asked Ms. Griffeth if there is a need for \$25,000.00 for this event. Ms. Griffeth stated not at this time. Councilman Cain stated if it is not needed, that is great, but it will be there for use. Mrs. Patty Sexton addressed the Council stating that the point is that they have not finished restoring the Christmas decorations for this year, they were packed away this year, to be refurbished because they did not have the money in the line item and that line item has always been \$25,000.00, and in this year's budget it was \$18,000.00, so they curtailed Christmas as much as possible, and did not continue this year to expand out the other areas, and in the long range plan they will expand Christmas decorations. Mrs. Sexton further stated that the increase in the resolution would enable them to produce this year's show to the same caliber of show, or better, as it has been done in the past, and to replace the Christmas decoration for this year instead of having to wait until October to do so, because in August they would get a better rate, and that is the purpose for the additional money in the resolution, and all they really have to have for the Fourth of July event is \$20,000.00. Councilman Williamson asked who reduced the Special Events line item. Ms. Griffeth stated it was reduced during the budget process. An amended motion was then made by Councilman Cain and seconded by Councilman Williamson to increase the line item to \$25,000.00 in case the costs are more than what they anticipate. Councilwoman Crenshaw asked what would happen to Councilman Leashore's motion at this point. President Evans stated it would become secondary. Councilman Leashore stated he would like to hear from Community Development if his amended motion would give them the necessary funds that they need for their project. Ms. Griffeth stated there is a need for additional funds, but that is always done in the next fiscal year, and it can be done in the next fiscal year and the immediate need is the \$3,000.00. Ms. Griffeth stated that budget amount is \$18,000.00 and there is \$17,666.00 left in the fund, and the Fourth of July celebration would cost approximately \$20,600.00 and this is the last City sponsored event that is scheduled for this fiscal year, and the next is for Christmas decorations and as Mrs. Sexton explained, they wanted to order early, but because there is no money in the fund now, there was a limited amount of money this last year, and they could order early to save money, but it is not necessary, and all that is needed "right now" is just \$3,000.00. Councilman Leashore stated that based on what Ms. Griffeth just explained, the \$25,000.00 amendment gives the department more money than what is really needed. Mrs. Griffeth concurred, and stated that if it is approved, they would use it to order Christmas decorations. Councilman Leashore stated if that is the case, then he has no problem with the amendment and he stated he would like to withdraw his original motion. President Evans stated if the amendment passes, the original motion would automatically fail anyway. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.** Ms. Griffeth stated she would like to make a point of clarification, stating that she understands that the line item would be increased, but according to the resolution, it calls for increasing by way of the Grant Matching Funds line item, which there are funds in there that are already committed, and asked if the additional \$4,000.00 would be taken from, where? Ms. Griffeth stated that beyond the \$3,000.00, those funds are obligated. Councilwoman Venter stated that the easiest way to have done this is that the Council should have gone ahead and voted on the \$3,000.00 that they were asking for, then come back to have the next vote to amend for the \$25,000.00 in the next budget. President Evans stated that the Council has just taken a vote on this line item of \$25,000.00, and now he needs to know, at this point, what is the pleasure of the Council in terms of resolving this question. Ms. Griffeth stated that if it is the Council's pleasure, the grant matching fund line item can be increased and she would have to come back anyway for other items to request increases. President Evans stated that Ms. Griffeth would be coming back to bring the Council the amount of increase to this line item, grant funds.

E. **Resolution #R191-07/08 Selma Interpretive Center.** Ms. Griffeth stated that this resolution is requesting permission to utilize Goodwin, Mills and Cawood for what ALDOT requires to have construction engineering and inspection of the roofing and the total amount is fifteen percent of the project which is \$42,200.00. A motion was made by Councilman Leashore and seconded by

**MAYOR'S REPORT**

Councilwoman Venter to approve the said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

F. **Reopen Resolution - #R183-07/08 Curb and Gutter Equipment.** Mayor Perkins stated that resolution #183-07/08 was tabled in the last Council meeting, dealing with the curb and gutter equipment, and he would like to have a discussion with the Council to determine the possibility of getting it off "table" in the not too distant future, so that the acquisition of this equipment can move forward and start the construction of the rainwater drainage. Councilman Leashore asked if he could make a recommendation. President Evans concurred. Councilman Leashore stated that so that the Council would not get bogged down with "political posturing" this project is very much needed and he would highly recommend that there be a time set aside where the mayor could come and talk to the Council about his request. President Evans stated that very well could continue and be brought back at a time that is appropriate. Councilman Cain stated since the Council tabled this item, should this not be addressed by the Council rather than from the Mayor. President Evans stated that he feels as far as something the Mayor wants to discuss or bring up, he certainly can bring up, but in terms of the Council entertaining a motion to address it, and it has to come from the prevailing side. Councilman Williamson stated that he feels it would be a good idea to have that discussion, as Mr. Leashore said at some point in the future, but one of the "sticking points" for him personally, is that when the discussion takes place he would like to have a list of the streets that are going to be curbed and guttered and he would like to see them spread throughout the whole city. Mayor Perkins stated that it is his understanding that the committee addressed this issue and came to a conclusion according to Mr. Hicks. President Evans stated he will have to call this part "out of order" from the standpoint that...certainly Councilman Williamson would be in order when the discussion does take place to discuss this issue. President Evans further stated that the minutes would reflect what was brought out at the last meeting by Mr. Hicks and what he is saying is that the Council would be revisiting what has already been heard, but no action can be taken tonight, so why don't there be a called meeting or work session to address this issue so that it can be taken off "table" for a motion, but to relive it again would be out of order. Councilwoman Venter stated that since she is the Chair of the Committee, when it was brought up, Mr. Hicks asked each Council person in each ward to go out and select the streets that needed curbing and some said that they would not have time to do so and they wanted him to go out and do it and the streets that he brought back has never had any curbing. Following further discussion, Councilwoman Crenshaw stated that she wanted to ask the Council take a really good look at what areas are needed the most. President Evans stated that he is hopeful that they can reach a "happy medium" on this issue through more discussion and more dialogue in terms of spelling out more details about where its needed, why its needed. Mayor Perkins further stated that he is prepared, at whatever point the Council chooses, to have an in-depth discussion and ask that everyone would show up to deal with that and he would then refer the Council back to the recommendation that Mr. Hicks made, that if you have streets that you would like to see made a priority in your ward, provide the list, and then that would then become the list, but Mr. Hicks came back with a list of streets that he received that have the greatest need, the greatest rainwater, runoff drain problem, and that's where we are. Councilwoman Crenshaw stated she wanted to make sure she is clear if all the Council bring back a list that this will be the list? Mayor Perkins stated this would be the list put together, but it would still have to be worked based on priority and based on what the need is in the area.

G. **Audit Management Letter.** Mayor Perkins stated that the Council has been given a copy of the management letter.

H. **Letter - Fines and Court Costs.** Mayor Perkins stated that the Council has also been given a letter addressing the issue of the collections of fines and court costs, and a status report as of 4/3/08. Mayor Perkins stated that as of 4/3/08 the total fines collected is \$137,415.06, total court costs collected \$86,575.50, total restitution collected \$7,489.64, total warrant fee collected \$240.00, and total amount collected, \$231,720.20; total number of cases added 923 and total number of cases closed successfully 501. Mayor Perkins further stated that this report would be given periodically. Councilman Leashore asked, out of the \$7,489.64, how much of that is posted towards the one million dollars that was stolen from the city? Mayor Perkins stated he would get the details for the Council. Councilman Cain asked if the Council could get a report of the outstanding figures as well. Mayor Perkins stated he is not sure if they can come up with this figure. Mayor Perkins stated that he does not know if this can be done because one of the problems is that all of the documentation is manual and if the Council recalls, in the bond was the computer technology software needed to try to electronically manage that enormous file, which has records that date back to 1980, which is indicated in the correspondence.

I. **Ward Incident Reports.** Mayor Perkins stated that the Council has been given a copy of the ward incident reports and summarized the loud noise citations.

J. **Missing Money from the Police Department.** Mayor Perkins stated that the Attorney General is doing an investigation of the missing money from the police department and the investigation is ongoing.

**MAYOR'S REPORT**

**K. Summer Youth Lottery.** Mayor Perkins stated that Summer Youth lottery would be held on May 22<sup>nd</sup> at 4:00 p.m. in the Council Chambers. Mayor Perkins stated that there is funding for 81 jobs at \$5.85 per hour, the start date for employment would be June 2<sup>nd</sup> and the end date for employment would be July 11<sup>th</sup>; part-time, 16 hours per week.

**L. City School Board Appointees.** Mayor Perkins stated that he is aware that the Council has on the agenda, the appointment of School Board members, and he wanted to bring to the Council's attention that he has been provided a letter on today as a consequence of a conversation that he had with a Board member. Mayor Perkins read the said letter in its entirety. Following discussion, President Evans stated he has heard some things over the weekend that disturbed him deeply and he was going to make a statement about it later when it came down to the vote, but he will do it now, because he feels it is very important to him as a member on this Council. Presidents Evans stated that some people have implied some things, some of which are in the Chambers tonight, who made some statements that concerns him deeply and it is all because of a "political agenda" that is going on and he wants to make sure that he places what he wants to say on the table and anybody who wants to come after that can do so. President Evans read an excerpt from the minutes of April 14, 2008 regarding the School Board appointments. President Evans stated that his point in reading that information is that "there are some people who tried to imply, or did imply, that I was supposed to have said something to Mr. Terry, that I was going to bring it up to keep Mr. Terry on this Board if he would hire my son...ok...now, there is no way that Mr. Terry could be on this Board, period, that was said in April, that he could no longer serve, so wherever that came from, it's a lie." "Why would I cut a deal to keep Mr. Terry when I know good and well that that is illegal and inappropriate, but they made that point...ok...now, let me just say this to you; I know where all this is coming from, I know who is the ring leaders behind it; it is unfortunate, as far as I am concerned, that my son accepted the job as Athletic Director; I'm going to say this to you publicly; I tried to talk him out of it...period...when I heard about it two weeks ago." "I went to my son, and I said, Patrick, it's a bad time; it's too many unknowns, and I will say to you...leave it alone, son; don't get involved with that, people will take it out on you because they want me, and I said leave it alone, Patrick." "My brother even called Patrick and "fussed" at Patrick about the same situation, and said Patrick, don't take that job; if they offer it to you leave it alone, because it is political and there are people who would come after you to get to your daddy; and vice versa...ok...so, in spite of all this, a young man like Patrick doesn't understand all the dynamics of all this, and he decided that if they offer it to him, he would take it and I guess he took it; well I love my son very much and I will support him 100% no matter what he does, even though I differ with him, but the game is being played out here, and that is why I want to hear from Dr. Chapatwala, because I don't cut deals for nobody; for my son or anyone else, but for this to come up like this and all the other stuff I heard over the weekend." "I knew that this was coming and I told Patrick to leave it alone, son, the timing is bad, too many uncertainties and no permanent Superintendent; the Principal ship could very well change; the Board would change in another year; leave it alone, stay out of this, stay out of this; son, but my son chose to do what he felt he wanted to do and my brother "blessed" him out too...ok...but for the record, make sure you all know that this is nothing that I am encouraging him to do and I have heard some more things that are supposed to happen as a result of the vote tonight, so I am going to recuse myself of even fooling with this tonight, because I don't have time for this, I don't like it; I don't appreciate it; especially, when you want to threaten me that's one thing, but when you take it out on my son with the game you all are playing...it bothers me deeply and I will deal with, I promise you I will deal with it." "It is so unfair and inappropriate that, you can't get me like you want to, that you take it out on him and make it an issue, and he doesn't understand...I told him to leave it alone, I wish he would resign from it right now and that is my point." Councilwoman Crenshaw stated to President Evans that the reason why she asks him to call names is because "ya'll" or "they" could be anybody out here and if it were me, "I would just call it like it is", if you believe in that; just call them out because actually I don't even know what you are talking about" because she is trying to figure out where all of this is coming from and all the stuff about Mr. Terry and all. Councilwoman Crenshaw stated that it is not so much about who said what, our children are in a dilemma right now and you may be right, his timing may have been wrong, "since you said that, it is a possibility that it may have been wrong, because of all the speculations of what is going on in our system and she does not feel the biggest problem may be the Board. Councilman Leashore stated that he agrees that Dr. Chapatwala should come and share with the Council his concerns; but he does not agree with foregoing these appointments. Mayor Perkins stated that the correspondence does not have anything to do with the appointments and he feels that he would be not be fair if he received the letter and not bring it to the Council.

**CITY ATTORNEY'S REPORT**

**A. Ordinance #O111-07/08 Sales Tax Holiday.** Attorney Nunn stated that the Council has been given a copy of an ordinance to exempt certain "covered items" from the Municipal Sales And Use Tax during the first full weekend in August 2008 as authorized by ACT2006-574 generally referred to as the State Sales Tax Holiday Legislation. Attorney Nunn stated that this ordinance was placed on first during the last meeting and it is being brought back before the Council for a vote. A motion was made by

**CITY ATTORNEY'S REPORT**

Councilman Leashore and seconded by Councilwoman Martin to approve the said ordinance. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

**B. Application - Alcoholic Beverage License – Brandon Weaver.** Attorney Nunn stated that this application is a transfer and it was placed on first reading at the last Council meeting; Selma City Marina; located at #1 Marina Drive. A motion was made by Councilwoman Martin and seconded by Councilman Leashore to approve the said license. **A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were five affirmative votes and two abstentions. Councilman Williamson and Councilwoman Venter abstained from voting.**

**C. Municipal Election Deadlines.** Attorney Nunn stated that on the 2008 Municipal Election law calendar, which was mentioned very briefly at the last Council meeting, there are two dates which he would like the Council to be aware of; May 26<sup>th</sup> and May 28<sup>th</sup>. Attorney Nunn stated that during the last Council meeting it was a consensus that all polling places would remain the same for the August Election.

**D. Perjury Laws.** Attorney Nunn stated that the Council has a copy of information from the Code of Alabama; and discussed briefly as per section 13a-10-101; perjury in the first degree.

**E. Request for Executive Session.** Attorney Nunn stated that he would like to request an Executive Session at the end of this meeting to discuss pending litigation.

**F. Good Samaritan Lease Agreements.** Attorney Nunn stated that it is his understanding that the Council should have received this information in a packet during the last Council meeting.

**G. Councilman Cain Court Case Update.** Councilman Leashore asked what is the status of the court case against Councilman Reid Cain. Attorney Nunn stated that about a month ago the Council voted to proceed with obtaining a prosecutor for this case, and our Judicial Judge Chestnut is working to schedule a date and he has not contacted him as it relates to the update on the schedule. Councilman Leashore stated that he would like to charge the Attorney to research this issue and bring a report back to the Council at the next Council meeting.

**BUSINESS ITEMS:**

**I. NOISE ORDINANCE**

President Evans stated that the Mayor addressed this item during his report and asked if there were any further questions. Councilwoman Venter stated that she did note that Ward 8 noise has gone down, but every now and then it gets loud again. Councilman Williamson stated that he feels it is good that the Police Department did issue more citations this month.

**II. UNPAID GARBAGE FEES**

President Evans stated that Mr. Goldsby is the person who is working to get this information for the Council and the team assigned to work on this item should be bringing a report to the Council and asked Attorney Nunn if he would get an update for the Council.

**III. SELMA CITY SCHOOL BOARD APPOINTEES**

President Evans stated that at this time he would like to go ahead and move to the Administrative Committee report. Councilman Williamson stated that there were nine excellent interviews of individuals and he feels the School Board would be well served by election of any two of these nine individuals. Councilman Williamson stated that a list has been provided to the Council with the names of the individuals who were interviewed and if the Council is going to vote tonight, he would like to ask how many votes are required to elect an individual. President Evans stated it would take a majority of the members present. Attorney Nunn read as per the Attorney General's opinion for this particular issue. Following discussion and votes taken, **Dr. Udo Ufomadu received a majority vote of the Council members present, and Mrs. Wanda Goodwin and Dr. Ann Fitts received a tie vote of the Council members present.** Councilman Leashore stated to President Evans that he respectfully request that he would put this issue to rest and cast his vote for whomever he feels is the person he wants to vote for and let the Council move forward. **President Evans stated that he would vote for Dr. Ann Fitts, that she does a great job and the Board and deserves to continue to stay their to continue the work that she is doing, and this would "break the tie."** President Evans stated that he has spoken with Attorney Nunn and it is indicated that these individuals would take office as of June 1, 2008.

**BUSINESS ITEMS:**

**IV. AUGUST MUNICIPAL ELECTION**

Councilman Cain stated that at some point the Council needs to make a decision on what they will do with the August municipal election, because with the current "political situation" he feels there needs to be a third party objector involved in the process, "especially with your situation, President Evans and the Mayor situation." Councilman Leashore stated that out of all the elections long before this first black Mayor, he has never heard of an election being removed from City Hall "simply because the incumbent mayor was running for office," and the City Clerk whose primary responsibility is to oversee the election, in his opinion, has always done so to her professional ability, has always done so without any bias, has always done so without any preferential treatment and he feels the Council would be doing a disservice in taking action, or trying to even take it out of City Hall, and gives the opinion that the incumbent and the City Clerk are being accused of some impropriety of things that are not kosher and that is not fair and he would highly urge you, even though you are a candidate for mayor, to let this process run the way it has always been running and move on with this and not make this political on this Council. Councilman Williamson stated that it certainly has not been run that way, because as the Mayor knows, thanks to his efforts, the election was moved out of City Hall both in 1996 and 2000; the absentee and everything was moved out of City Hall, so it is not unprecedented, but he stated that was as a result of a "court order." Mayor Perkins stated that it is his opinion that the only way you can move the process is by "court order," and it cannot be moved by this Council; the authority of the Election Managing process belongs to the Clerk and the only person who can take it from the Clerk is the Judge, and without that "consent decree," that process would not have been moved. Mayor Perkins stated that he feels what is happening here is that the Council is "politicizing" the Office of the Clerk; you cannot remove the Clerk so you want to move the Clerk's responsibilities and he feels that this is out of order and he feels it is very "murky" water and we should not travel there. Councilman Williamson stated that he believes that Mr. Nunn would tell the Council at some point, that the Mayor would be the Chief Election Officer in charge of all that if he were not a candidate, and when he is a candidate the Council appoints some disinterested person to be the Election Manager, not the Absentee box; he said that's with the City Clerk by State Law, but he believes the law says a disinterested person should be the Election Manager and he hopes that is what Mr. Cain is talking about. Councilman Cain stated that is correct and that he believes Attorney Nunn did state that in one of the work sessions, and that the Council has until June or July to deal with that matter. Councilman Williamson asked if a resolution was brought to the Council on the bond issue that the Mayor asked to be replaced. Attorney Nunn concurred. Mayor Perkins stated to Councilman Williamson that he is trying to figure out if he is implying that Ms. Williams is a crook. Councilman Williamson stated that he is implying that Ms. Williams is the "Mayor's Clerk" rather than the "City Clerk." Mayor Perkins stated that he "beg to differ," because the Clerk is appointed by the Council. Mayor Perkins stated that he feels this is an insult to the Clerk and I am certain you didn't mean to log a personal insult. Councilman Williamson stated that he meant what he said and it's in the minutes what Ms. Williams said after the bond issue. Mayor Perkins stated that he feels that everyone that works in the election process, regardless of who you decide on, they have their preference too, so he would be totally against it and would probably make a strong attempt to revoke the Council from stripping Ms. Williams of her responsibilities, because he feels that this is wrong and we can end up with a "lame" election if that's what you want to do. Mayor Perkins further stated that he feels strongly about that, he feels that its wrong to imply; now if she does something wrong, that is different, but don't assume that she would; that is inappropriate and that is an insult. Councilman Cain stated to President Evans that the Mayor just confirmed our beliefs that there is a close "entwine" by his defense of Ms. Williams between her office and his office, so he would like to make a motion to allow the Election Manager to be at the Probate Office in the upcoming election rather than be handled in the Clerk's Office. President Evans stated that Councilman Williamson made a statement to the Attorney as to the process and he is interested in knowing what the process is. Attorney Nunn stated that the governing body has the authority as it relates to the Election Manager, but if the Council recalls, during the bond, he brought a resolution to the Council and he would like to have the opportunity to do so if that is the Council's prerogative; it was delegated to the Clerk's Office. Attorney Nunn stated that previously someone mentioned appointing the Chief of Police, the appointment can go to whomever the Council wants it to go to, but he knows that in the past it has always been the City Clerk, and it was brought to the Council and the Council voted on it, but ultimately it is the Council's decision. Councilwoman Crenshaw stated that we don't need to worry about it; whatever the Council decides; and she is sure the listening audience really understands what's going on. Mayor Perkins stated that he wanted to speak to the comment made by Councilman Cain that his defense of Clerk Williams was affirmation that he is bias; that we have a bias relationship, he takes exception to that, and he does not feel that there has ever been an incident when he is in the Chambers and there has been an attack on character on an employee that works under the authority of the Mayor and he has not defended that employee and he will do it every time when character on an employee that works under the authority of the Mayor is attacked by this Council or a member of this Council. Councilman Williamson stated that this needs to be put off until the next meeting and these other people need to be here to vote on these things; we need a full Council when we make important decisions like this. Councilman Cain concurred. Councilman Leashore stated that the law only requires that there is a quorum to do the business of the City and he is totally against not

**BUSINESS ITEMS:**

**IV. AUGUST MUNICIPAL ELECTION**

moving forward with the business of the City simply because certain Council members are not here; he is not for that and Mr. President, "and you should not be either." A motion was made by Councilman Leashore and seconded by Councilwoman Venter to proceed with the election with the election being in the City Clerk's hands; the Clerk that this Council appointed and let her do her job as the constitutional law requires her to do. Councilman Williamson asked if Mr. Nunn ask that the Council permit him to bring back a resolution. Attorney Nunn stated that he does not know what to put in the resolution, as it relates to the person named. A motion was then made by Councilman Williamson and seconded by Councilman Cain to continue this item until the next Council meeting and allow Mr. Nunn to draft a resolution. Councilman Leashore stated that he withdraws his motion and Councilwoman Venter also withdrew her seconded to the motion. Councilman Leashore stated that his recommendation is ask the City Attorney to bring forth a resolution with the City Clerk named; the person who by constitutional law; whose job is to administer the election. Councilman Williamson asked Attorney Nunn to also draft a resolution naming the Probate Judge as the Election Manager. **The motion carried with a unanimous vote of the Council members present.**

**V. SECOND MEETING DATE IN MAY**

President Evans stated that the Council needs to move on scheduling the second meeting date in May and the 26<sup>th</sup> of May is our regular meeting night. A motion was made by Councilman Leashore and seconded by Councilman Williamson to forego the second meeting in May due to no urgent business and take up further business at the first meeting in the month of June; June 9<sup>th</sup> at 5:00 p.m. **A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were six affirmative votes and one nay vote. Councilman Cain cast a nay vote.**

**VI. OIL LEASE AGREEMENT**

President Evans stated that the Council requests the agreement from Ms. Mitchell, City Treasurer, on the agreement on how oil lease money should be spent, and asked if this could be placed in their mailboxes.

**VII. RESIDENTIAL PROPERTIES APPEARANCE/VEHICLE**

President Evans stated that the Attorney Nunn is doing the research on this and will bring the information back to the Council.

**VIII. SEWER PROBLEMS**

Councilman Cain asked if the Chair of the Public Works committee could get this information for the Council. Councilwoman Venter concurred.

**IX. TRAFFIC LIGHTS**

Councilman Cain asked if the Chair of the Public Works committee could get this information for the Council. Councilwoman Venter concurred.

**X. SEWER PROBLEMS**

Councilman Cain asked if the Chair of the Public Works committee could get this information for the Council. Councilwoman Venter concurred.

**XI. RECONSIDER RESOLUTION #R181-07/08 POLICE DEPARTMENT**

Councilman Cain stated that the Council passed the appropriation of \$750,027.00 to come from unappropriated funds, but the General budget has not been amended, and he wants to reconsider with the amendment or the addition that these particular line items are amended by these amounts of money that are in the 181-07/08 resolution, so we can make sure all the monies are going there. Councilman Cain stated the money may disappear. Following discussion, President Evans stated that Mrs. Robert, Accounting Supervisor, will make the change for the Council. Mayor Perkins stated that the Accounting Department will properly approach and manage this transaction and he does not feel that the Council can micromanage this process.

**BUSINESS ITEMS:**

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

President Evans stated that the Alabama League of Municipalities meeting this weekend and Monday and Tuesday, next week. He stated Mr. Leashore will be attending this meeting in Birmingham. Councilwoman Crenshaw stated that she has been appointed to the Leadership Council with NLC and possibly may have to do a presentation in June and if any money is left she would definitely want to go to that and she will provide the information.

**STANDING COMMITTEE REPORTS**

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

No Report.

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

No Report.

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

No Report.

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

No Report.

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

Councilwoman Martin stated that Community Development will be ordering pins with the City Seal along with the Laura Cochran at the Chamber of Commerce, and if any Council member wants to contribute the amount is \$300.00.

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

No Report.

**CLOSING REMARKS BY EACH COUNCIL MEMBER.**

**EXECUTIVE SESSION**

A motion was made by Councilwoman Martin and seconded by Councilwoman Venter to recess into Executive Session per the request of the City Attorney Jimmy Nunn, for approximately 30 minutes at 8:40 p.m. to discuss two pending legal cases. **The motion carried with a unanimous (show of hands) vote of the Council members present.**

A motion was made by Councilwoman Martin and seconded by Councilman Leashore to reconvene into the regular meeting at 9:08 p.m. **The motion carried with a unanimous (show of hands) vote of the Council members present.**

A motion was then made by Councilwoman Martin and seconded by Councilman Leashore to give Attorney Nunn the authority to move forward with negotiations of a legal matter. **The motion carried with a unanimous (show of hands) vote of the Council members present.**

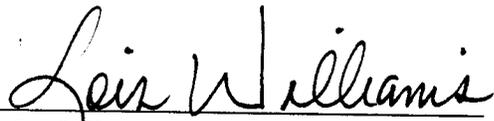
**ADJOURNMENT**

There being no further business to come before the Council, a motion was made by Councilwoman Martin and seconded by Councilman Leashore, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 9:10 p.m.



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GEORGE P. EVANS, *Council President*

**ATTEST:**



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LOIS WILLIAMS, *City Clerk*

**APPROVED:**



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JAMES PERKINS, JR., *Mayor*