

**MINUTES OF THE  
SELMA CITY COUNCIL  
JANUARY 24, 2005  
5:00 P.M.**

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, January 24, 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, 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. Councilwoman Allen arrived in the chambers after roll call at 5:12 p.m. Reverend Daniel Martin 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. Add agenda item: Reverend James Reeb monument. A motion was made by Councilman Leashore and seconded by Councilman Randolph to approve the agenda with the noted amendment. **The motion carried with a unanimous vote of the Council members present.**

After approval of the amended agenda, President Evans asked for a motion to approve the minutes of the last regular meeting. A motion was made by Councilwoman Venter to approve the adoption of the minutes of January 10, 2005. **The motion carried with a unanimous vote of the Council.**

**I. MAYOR'S REPORT**

**A. Recognition of Outstanding Selma Police Officers.** Mayor Perkins stated he would like to ask Assistant Police Chief Jimmy Martin, in the absence of Chief Robert Jacobs, to come forward along with the following officers: Billy Wright, Brian Dixon, Reginald Fitts, Harry Tubbs, Sgt. David Hopkins and Commander-Lt. Chuck Weber. Mayor Perkins read and presented a certificate of commendation to these officers for their outstanding performance shown during a house fire on January 16, 2005. He stated to them thank you for your dedication to serve and protect the citizens of the City of Selma.

**B. 2003-2004 Audit – WilsonPrice CPA & Consultants Draft Presentation.** Mayor Perkins stated Mr. Billy Daniels and Mr. Lee Parker of WilsonPrice CPA & Consultants are present to give a presentation of the 2003-2004 Audit draft to the Council. Mr. Daniels stated WilsonPrice CPA & Consultants were hired on October 13, 2004 and completed the audit process on December 10, 2004. Mr. Daniels stated he would first like to thank the employees of City Hall, and he is delighted to present a draft of the financial statements for fiscal year ending September 30, 2004. Mr. Daniels stated as compared to last year, the total increase in assets and decrease in liabilities shows a positive impact, as well as a positive increase in fund balance from one year to the next. Following the presentation, the Council had no questions at this time. President Evans stated the Council appreciates how quickly the firm was able to put this information together and the Council would get in touch with City Treasurer Ms. Cynthia Mitchell or Mayor Perkins should any questions arise.

**C. Update-Hurricane Ivan-FEMA Disaster Relief and Recovery.** Mayor Perkins stated he would like to ask City Engineer Mr. David Painter if he would come forward and provide the Council with an update on the disaster recovery process for the City. He stated this is a consequence of Hurricane Ivan. Mr. Painter stated he would like to give a brief update on the work on Hurricane Ivan, which he and his staff have worked on since early after the event in September and produced an initial damage survey on October 20, 2004. Mr. Painter stated they have looked at some 34 or 35 facilities and 5 bridge structures and are in the process of completing a rather extensive cost analysis with FEMA's Montgomery area office working with Steve Cavuoto, which is expected to be finished on or about February 10, 2005.

Mr. Painter stated the City should be looking at approximately a \$300,000.00 to \$600,000.00 range of recovery and he is negotiating strongly for the City to have FEMA to take special consideration based on the extent of the damages and the conditions of some of the facilities. He stated a final report would be presented to the Council perhaps at the second meeting in February.

Councilman Williamson asked does this have anything to do with the amount the County is going to bill the City and do we know how much that is going to be. Mr. Painter responded he does not know how much that is going to be, that information has not been reported to him, however he is aware of an arrangement with the County but it is subject to more discussions to come up with what, if any, would be the City's share of that. Councilman Williamson asked could

I. MAYOR'S REPORT

this money be used to offset what they (County) are going to charge the City. Mr. Painter responded that the City would want to reimburse ourselves first and then see what would be the prorata share due to the County. He stated this is the understanding that the City and the County has according to the letter and he further stated the County did not clean up the debris in the entire city, only a portion and I have been told its about 1/3, but upon review of all supporting documentations, it will be determined if there is any amount that the City should pay or treat as inkind to the County and that it is fair and equitable. Councilman Williamson asked Mr. Painter if the County is going to bill the City at all. Mr. Painter responded he does not know has had no indication that the County would be sending a bill.

Mayor Perkins stated the Council should recall, the arrangement that the City took on with the County was really an effort to collaborate with the County to get the entire county cleaned up, they entered into the contract with a service provider to clean up the county, we started with our General Services department on the far east side and then as the contractor came out of the county we just consented to allow them to go ahead to continue to work from the west towards the center of town, the primary purpose of that was to expedite the clean up for the citizens, not because our people could not get it done, it was simply a process of trying to expedite the process. Mayor Perkins stated the arrangement was that no one was to pay the contractor, the contractor was going to bill directly to EMA and recover its cost as a result of that work directly from the EMA and there was a percentage, 15% of what the local governments percentage would be for the match, the federal government is doing 75%, the state does 10%, and local governments 15%. He further stated the County would be local government in the County arrangement, and what the City would be looking at is a prorata share of the portion of the City of Selma that that organization worked specific to inkind, so we look forward to the discussion and he stated he hope the terms will not change, but he is aware of what was agreed upon.

D. Resolutions #R128-04/05 through #R131-04/05. Mayor Perkins stated he would like to ask City Clerk Ms. Lois Williams to come forward to present bid resolutions to the Council for Recreation Department uniforms and equipment. Ms. Williams addressed the Council stating bids were taken on January 12, 2005 and awarded as per the attached copies of resolutions #R128-04/05-Baseball Equipment in the amount of \$36,088.75, R129-04/05-Softball Equipment in the amount of \$7,323.80, R130-04/05-Baseball Uniforms in the amount of \$27,873.60 and #R131-04/05-Softball Uniforms in the amount of \$6,060.00 and asks the approval of the Council at this time. During discussion, a motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore to approve the said resolutions. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

E. Liquor License Transfer-Ramada Inn. Mayor Perkins stated the Council has been given copies of a liquor license transfer request for consideration from Ramada Inn located at 1710 Highland Avenue. Mayor Perkins stated he asks for approval as per recommendation from Police Chef Robert Jacobs. Councilman Cain stated he recommended continuing the license for Ramada Inn. A motion was made by Councilman Cain and seconded by Councilwoman Allen to approve the said liquor license transfer. **The motion carried with a majority vote of the Council. There were seven affirmative votes, one oppose and one abstention. Councilman Williamson opposes and Councilwoman Venter abstained from the vote.**

F. Memorandum of Understanding Between the City of Selma and Selma Water Board. Mayor Perkins stated this memorandum of understanding has been discussed during previous Council meetings. Mayor Perkins stated the Water Board attorney, per request of the superintendent, prepared the memorandum. Mayor Perkins stated the memorandum was presented to the Council at the last meeting for review and one item (#4) has been added to the memorandum. Mayor Perkins stated this item was brought to our attention by the sewer department head, that the City of Selma does not charge the Water Board for solid waste delivered to the City's Landfill and the approximate tonnage is about 550 metric tons per year. Mayor Perkins stated this is one of several other items, which the City does not charge the Water Board for, although the Water Board charged the City for water on last year in excess of \$60,000.00. Mayor Perkins stated he asks favorable consideration from the Council for acceptance of the said memorandum of understanding. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to approve the memorandum of understanding as presented by Mayor Perkins. **The motion carried with a unanimous vote of the Council.**

**I. MAYOR'S REPORT**

**G. Good Samaritan Hospital.** Mayor Perkins stated discussions with the State of Alabama specific to the Good Samaritan Hospital project are ongoing. Mayor Perkins stated the most recent discussions are documented for review and those discussions included a proposed lease arrangement between the State of Alabama and the City of Selma for the purpose of allowing the City the opportunity to continue its effort to utilize the Good Samaritan Building for its originally intended purpose. Mayor Perkins stated the State of Alabama is willing to provide a minimum one-year lease from year-to-year and no fixed price per month charge. Mayor Perkins stated instead the State of Alabama are willing to accept twenty percent (20%) of the net rental receipts, after expenses are covered, not to exceed \$5,000.00 per month. Mayor Perkins stated the City would maintain first rights of refusal to purchase this property at \$400,000.00 regardless of any counter offer received by the State to purchase the property. Mayor Perkins further stated this transaction does not obligate any of the City's general fund dollars and the negotiations continue with numerous prospective tenants. Mayor Perkins also stated he encourages the Council to give favorable consideration to these terms and if there were a majority consensus, he would then move forward to start the development of a lease arrangement for review and consideration by the Council. During discussion, a motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore for favorable consideration of the proposed lease agreement between the City of Selma and the State of Alabama. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were seven affirmative votes and two negative votes. Councilman Williamson and Councilman Cain both cast negative votes.**

**H. Resolution – Budget Amendment - Assistant Tax Collector.** Mayor Perkins stated he would like to ask City Treasurer Cynthia Mitchell to come forward to address the Council as it relates to a budget amendment for the Tax and License office. Ms. Mitchell stated the Council has a copy of a resolution to amend the budget for the Tax and License department. Ms. Mitchell stated the position for assistant tax collector is currently filled, but mistakenly deleted from the budget prior to approval and she would like to ask for approval to reinstate this position at this time. Ms. Mitchell stated this budget amendment would result in an increase to the department of \$7,776.00. A motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore to approve the requested budget amendment. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

**Mayor Perkins: Acknowledgement of About Face.  
President Evans: Acknowledgement of Leadership Selma-Dallas County.**

**II. CITY ATTORNEY REPORT**

**A. Confidential Communication.** Attorney Nunn stated this is information is confidential and only informational to the Council. Attorney Nunn asked the Council to please feel free to contact his office to discuss further.

**B. Resolution – #R127-04/05 Ford Packer.** Attorney Nunn stated the Council has been given a copy of a resolution as it relates to surplus property. Attorney Nunn stated per Mr. Henry Hicks the 1991 Ford Packer is no longer needed in the General Services department and authorizes the disposal of the same to the City of Uniontown for the sum of \$1,000.00. A motion was made by Councilwoman Martin and seconded by Councilman Leashore to approve the said resolution. **The motion carried with a unanimous vote of the Council.**

**C. Deed of Property Authorization.** Attorney Nunn stated per General Services Director Mr. Henry Hicks, the property located at Murry Street has been deeded to the City of Selma. Attorney Nunn stated upon the City of Selma receiving this property, it becomes the City's responsibility as it relates to liability, insurance and clean up. Attorney Nunn stated this property has been deeded to the City of Selma and he asks that the Council receive this property as its own. A motion was made by Councilwoman Leashore and seconded by Councilwoman Crenshaw to approve the said property deed and give the mayor and the city attorney to move forward with acceptance of property. **The motion carried with a unanimous vote of the Council.**

**D. Resolution – #R128-04/05 - Retiree Premiums.** Attorney Nunn stated the Council has a copy of a resolution as it relates to retirees payment by the City of Selma. Attorney Nunn stated this matter has been discussed during budget hearings and restructuring strategies regarding health insurance coverage to its retiring employees of the City of Selma. Attorney Nunn

## II. CITY ATTORNEY REPORT

stated the City of Selma desires to pay one half of the health insurance premium for its early retirees, retiring before the age of 65 and pay one half of the C-Plus premium for retirees over the age of 65. Attorney Nunn stated the current cost of this health insurance premium is \$230.00 and the effective date for the reduced premium would be April 1, 2005. Councilman Williamson asked if the prior resolution would have to be repealed. Following a brief discussion, a motion was made by Councilwoman Crenshaw and Councilman Leashore to approve the said resolution subject to the amendment of any and all other resolutions in conflict with this resolutions and the same is hereby repealed. **The motion passed with a majority vote of the Council. There were seven affirmative votes and two negative votes. Councilman Williamson and Councilman Cain both cast negative votes.**

E. **Ordinance – O108-04/05 - Tourism Management.** Attorney Nunn stated the Council has copy of an ordinance dealing with Tourism restructuring. Attorney Nunn stated the Tourism management would now be transferred to the Centre of Commerce and the tourism advisory board would be done away with adopting the City's resolution. Attorney Nunn stated the advisory board would report to the Centre of Commerce instead of the mayor and city council. Attorney Nunn stated this ordinance is to repeal Ordinance #14-9394. Councilwoman Crenshaw stated two Council members served on the tourism advisory board and she would like to recommend that the resolution presented include this practice when the Centre of Commerce develops a new board. During discussion, a motion was made by Councilman Leashore, this motion failed for lack of a second. After further discussion, a motion was made by Councilwoman Crenshaw and dually seconded by Councilwoman Martin and Councilman Randolph to placed this ordinance of first reading until the next Council meeting. **The motion carried with a unanimous vote of the Council.**

F. **Ordinance – O107-04/05 - Tourism Funds.** Attorney Nunn stated the Council also has a copy of an ordinance dealing with lodging tax, which is 6% for the City of Selma and 3% in the police jurisdiction. Attorney Nunn stated this ordinance would amend ordinance #03-9293 section eight, known as the lodging tax ordinance. Attorney Nunn stated, as per the ordinance #O107-04/05, the proceeds of the tax levied hereby shall be placed in a restricted account to be known as the "Economic Development/Tourism Promotional Fund", and all other provisions of the ordinance #03-9293 shall remain in full force and effect. During discussion, a motion was made by Councilman Leashore, this motion failed for lack of a second. After further discussion, a motion was made by Councilwoman Crenshaw and seconded by Councilwoman Martin to placed this ordinance of first reading until the next Council meeting. **The motion carried with a unanimous vote of the Council.** Councilman Williamson stated at the next meeting he would like the Council to have information regarding how much influence can they exercise over the Centre of Commerce in terms of tourism and \$300,000.00 given to them by contract. President Evans asked Attorney Nunn to provide accountability information to the Council as per request of Councilman Williamson.

G. **Public Buildings Single Event Facilities Application Review.** Attorney Nunn stated he and the Public Buildings Facilities Manager Mrs. Kay Jones have prepared a City of Selma single event facilities application and procedure. Attorney Nunn stated the City of Selma has not had a process such as this in place in the past. Attorney Nunn stated this work has been in process since November 2004 and they are pleased to introduce a version that would be acceptable to the Council. Following discussion, this item was tabled until the next Council meeting for review by the Council.

H. **Ordinance#O105-04/05- Smoking.** Attorney Nunn stated at the last Council meeting the Council was given a copy of a smoking ordinance. Attorney Nunn stated this ordinance would regulate smoking in the City of Selma. Attorney Nunn further stated this ordinance has been placed on first reading. President Evans stated this ordinance has been discussed in detail and at this time and he would like to ask Councilwoman Allen to address this issue. During discussion, a motion was made by Councilwoman Allen and dually seconded by Councilwoman Crenshaw and Councilwoman Martin to adopt the said ordinance. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one negative vote. Councilman Williamson cast a negative vote.**

I. **Alcoholic Beverage License Proposed Procedure.** Attorney Nunn stated the Council was given a copy of the Alcoholic Beverage License procedure at the last Council meeting for review and to vote on at this meeting. Attorney Nunn asked the Council what is their desire

## II. CITY ATTORNEY REPORT

and recommendation on this procedure at this time. After a brief discussion, President Evans stated this item would be tabled until the next meeting.

J. Ordinance - Leash Law. Attorney Nunn stated the Council has been given a copy of this ordinance and it has been a discussion for several months. After a brief discussion, a motion was made by Councilman Leashore and seconded by Councilman Randolph to approve the said ordinance. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

## BUSINESS ITEMS:

### IV. DATE OF ELECTED OFFICIALS PHOTOGRAPH

President Evans stated he has spoke with Mr. Jerry Deese and he has indicated to the Council that a date should be determined when all Council members can be together for a photo. The Council concurred that this photo would take place on the date prior to the next Council meeting, February 14 at 3:00 p.m.

### V. SEMI-ANNUAL CITY COUNCIL FORUM

President Evans stated he has indicated to the Council that he would like to conduct two annual meetings to meet with the public for the purpose of getting dialogue from the citizens. President Evans stated February is the month for the first meeting and ask the Council whether February 15, 2005 at 6:00 p.m. at the Convention Center would be acceptable for the Council. The Council concurs.

### VI. MONUMENT – REVEREND JAMES REEB

Councilwoman Crenshaw stated she has spoke with Mrs. Lowery and she has received an email and information from her concerning the location and description of a monument for Reverend James Reeb in commemoration of his death. Councilwoman Crenshaw read this information to the Council pertaining to the incident that lead to the death of Reverend Reeb, which she stated would be on the back of the monument. A motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore to approve the erection of this monument on the sidewalk on City property, upon the contingency that the historic commission would approve the erection of this monument. Councilman Williamson stated as per the historic ordinance concerning the historic district, this type of monument erected should not take place before coming before the historic commission. **After further discussion, the motion carried with a majority vote of the Council. There were seven affirmative votes and two opposed votes. Both Councilman Williamson and Councilman Cain opposed.**

## CITIZENS REQUEST

Mr. Sam Walker  
Re: Follow-up on Jubilee support.

Ms. Nina Capps  
Re: Habitat for Humanity

Mr. J. L. Chestnut, Jr. & Miss Candent Vincent  
Re: About Face

## STANDING COMMITTEE REPORTS

### RECREATION COMMITTEE

Councilman Randolph stated the Recreation Committee met at Bloche Park with Coach Elton Reece. Councilman Randolph stated it is baseball season and anyone interested in becoming a coach should contact the City Recreation Department. Councilman Randolph stated in an effort to

**STANDING COMMITTEE REPORTS**

increase revenue for the City, Coach Reece will be moving nineteen teams from the County Sportsplex to the City Complex.

**ADMINISTRATIVE COMMITTEE**

Councilwoman Allen stated the Administrative Committee met in the mayor's conference room with Mayor Perkins, City Attorney Jimmy Nunn, Personnel Director Valeria Jones, General Services Director Henry Hicks, Mayor's Administrative Assistant Sherri James and Magistrate Tanika Wagner on Friday, January 21, 2005. Councilwoman Allen stated three topics were discussed, process for part-time judgeship system and job descriptions drafted by Personnel as per the attached statement. During this report, a motion was made by Councilwoman Allen and seconded by Councilman Cain to continue the appointment of two judges, one presiding judge with management responsibilities and one municipal judge, with respective salaries of \$25,500.00 and \$15,000.00. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.** Following further discussion, a motion was made by Councilwoman Crenshaw and dually seconded by Councilman Leashore and Councilwoman Venter for the Council to use the same process that was used for the selection of the school board for the selection of the municipal judges. **The motion carried with a unanimous vote of the Council.** A motion was also made by Councilman Williamson and seconded by Councilwoman Crenshaw to reopen the whole process and republish the positions with the new job descriptions with the Public Safety Committee handling the process. **The motion carried with a majority vote of the Council. There were eight affirmative votes and one opposed. Councilman Cain opposed.**

**PUBLIC SAFETY COMMITTEE**

Councilman Cain stated the Public Safety Committee should have updated job descriptions for the municipal judges by Thursday, January 27, 2005 at 4:00 p.m. to go over candidates.

**COMMUNITY DEVELOPMENT COMMITTEE**

There is no report for the Community Development Committee.

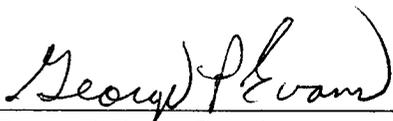
**PUBLIC WORKS/GENERAL SERVICES COMMITTEE**

Councilman Leashore stated the Public Works/General Services Committee met at the General Services Department with the General Services Superintendent Henry Hicks and Public Works Director Tommy Smith on Thursday, January 20, 2005. Also present were, President George Evans, Public Works Supervisor Earnest Jones, General Services Supervisor Freddie Holmes and General Services Secretary Delois Smith. Councilman Leashore stated two topics were discussed, potholes in the City and trash and garbage pick-up schedules, as per the attached statement.

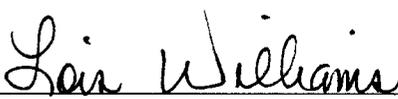
**DISCRETIONARY FUNDS COMMITTEE**

Councilwoman Crenshaw stated the Council contributed a total of \$2,050.00 in discretionary funds.

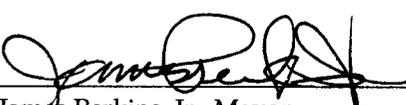
There being no further business to come before the Council, on motion made by Councilwoman Allen and seconded by Councilman Martin, the Council voted by unanimous consent to adjourn this meeting at 8:28 p.m.

  
George P. Evans, President

ATTEST:

  
Lois Williams, City Clerk

APPROVED:

  
James Perkins, Jr., Mayor