

**MINUTES OF THE
SELMA CITY COUNCIL
September 8, 2008
5:00 P.M.**

Call to Order

Invocation: Councilman Reid Cain

Moment of Silence

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, September 8, 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, Reid Cain, Jean Martin, Geraldine Allen, Samuel Randolph, 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, City Treasurer Cynthia Mitchell and the Mayor's Executive Assistant Darlene Rudolph.

APPROVAL OF AGENDA

President Evans asked for approval of the agenda items. Councilman Williamson requested that item VIII be deleted: Selma water Works & Sewer Board Resolution. A motion was made by Councilwoman Martin and seconded by Councilwoman Allen to approve the agenda with the changes. The motion was carried with a majority (show of hands) vote of the Council. Councilman Leashore cast a nay vote.

APPROVAL OF MINUTES

A motion was made by Councilwoman Crenshaw to continue the approval of the minutes of the regular Council meetings August 11, 2008, August 25, 2008 and September 2, 2008. The motion carried with a majority (show of hands) vote of the Council. Councilman Leashore cast a nay vote.

CITIZENS' REQUESTS

Mr. Joseph Bumbrey
Re: Request for street

Mrs. Ruby martin and Mrs. Nancy Sewell
Re: Selma Link's Walk-A-Thon (September 27th at Memorial Stadium 9am-11am)

MAYOR'S REPORT

A. **Request for Street - Mr. Joseph Bumbrey.** Mayor Perkins asked Mrs. Rudolph to give an update on the Bumbrey situation. Mrs. Rudolph addressed the Council stating that currently they were working with the County Engineer, Mr. Pierce, to use their "Grater." Mrs. Rudolph stated that since the contract was such a small amount, no one bided on it due to their other projects going on, so the City has taken on the project themselves. Mrs. Rudolph stated that hopefully it would be finished within the next month or so.

B. **Good Samaritan Lease Agreement/Income and Expense Update.** Mayor Perkins asked Mrs. Bridget Mills to address the Council on this item. Mrs. Mills addressed the Council with a detailed financial report for this year. Mrs. Mills stated that she has received 2 "intent to terminate" notices. During discussion, Mrs. Mills stated that the report also indicates the balance and expenditures.

C. **Cost of Living Increases for Retirees.** Mayor Perkins asked Ms. Val Jones to address the Council on the cost of living increase request for retirees. Ms. Jones stated there is a proposal for about 150 retirees in the amount of \$45, 833.00; that this proposal would provide for the retiree or beneficiary a one-time lump sum payment, of \$1.00 per month for each year credited to the retirees account payment for a twelve-month period or twelve dollars per year of service. Ms. Jones further stated that the payment schedule would begin December 2008. Mayor Perkins stated that this is a 08/09 budget issue and request the Council's consideration to move forward.

MAYOR'S REPORT

D. **Ward Incident Report.** Mayor Perkins stated that the ward incident report has been distributed to the Council as prepared by the Chief. Mayor and Council briefly discussed some issues in this report.

E. **RBC Letter.** Mayor Perkins stated that he wanted to clear up a misunderstanding that the City is bouncing checks, "the City is not bouncing checks." Mayor Perkins stated that the City has a letter from RBC Bank stating that it was not the City's error that caused the checks to be bounced; that it was a bank system issue, not a city issue. Mayor Perkins read as per said letter as he addressed the Council.

F. **Update Garbage Fees.** Mayor Perkins stated that the only two ways to fix this problem is: 1) get Montgomery government involved or; 2) increase taxes to cover the cost and just eliminate the fee all together. Mayor Perkins stated figures as per financial report for this month and that the current cash position for the City is \$8,102,786.00.

G. **FY 08/09 Budget.** Mayor Perkins congratulated those who won the election and encourage them to "stay on the wall." Mayor Perkins stated that the budget would be available to the Council as it was originally passed, which would be your beginning budget, and once the new administration takes office, they would have the opportunity to work on the FY 08/09 budget.

CITY ATTORNEY'S REPORT

A. **Update on Bush Hog.** Attorney Nunn stated that appraisals are in on the Bush Hog project, but he does not have any further information at this time. Mayor Perkins addressed the Council with an update on the Bush Hog situation stating that he was looking for grant opportunities for the "over pass" that would connect to the neighborhood, then once the engineer have completed, we would need to go back to the community and show them what is happening. In Conclusion, Mayor Perkins stated that Bush Hog would no longer be using the parking space on Jeff Davis.

B. **Automatic Recount.** During discussion, Attorney Nunn stated that there is no "automatic recount" in a municipal election.

C. **Ward # 6 Recount.** Attorney Nunn stated that the recount for Ward 6 completed very well with the official from ES&S, who brought the machines down. Attorney Nunn stated that the inspectors were there and all the ballots came out to the same total that was tallied on election night and all ballots were verified today with no changes.

D. **Election Recapitulation.** Attorney Nunn provided a document for information to each council member with the status of each election race, all candidates per ward, votes and total per ward, along with absentee and provisional ballots. Attorney Nunn stated, in addition, you have two races in the Run-off listed for Ward 4 and City Council President; and this information was taken from the official tally of the election.

E. **Old National Guard Armory Election Precinct.** Attorney Nunn stated that he has been informed that since there is a conflict using the Old Armory for the election, while the fair is there, arrangements have been made by the facilitators to accommodate the voters; and the election officials will have the use of two rooms within the Old Armory. Attorney Nunn stated that in order to eliminate a problem with the traffic, it has been recommended to have voters place a sign their dash stating that they are coming to vote, and request two police officers for the City of Selma for to direct the voter to the proper parking place, and to insure no one parks in the reserve spaces provided for the voting participants. Councilman Williamson asked if the polling site could be moved. Attorney Nunn reminded Councilman Williamson that he would have to notify everyone in his ward where the election place has been moved. It was suggested by City Clerk Lois Williams that everyone in Ward 1 could vote at Memorial Stadium. Following discussion of this move, a motion was made by Councilwoman Martin and seconded by Councilman Randolph to relocate the voting place at the Old National Guard Armory to the location of Memorial Stadium for the Run-Off Election, pending approval of the Department of Justice, and to allow Attorney Nunn to select the use of an alternate site if needed. **The motion carried with a unanimous (show of hands) vote of the Council.**

F. **Speed Breakers Procedures.** Attorney Nunn stated that per request of the Council, the speed breakers procedures are being provided to the Council for review.

G. **Appointment and Training for Elections Officials** Attorney Nunn stated that election Officials may need more training and it is suggested that the Inspectors and Chief Clerk would stay an extra 30 minutes after the school to get trained on the provisional ballots procedures. Election Officials will be required to attend election school, and if they do not attend the City Clerk would have the

CITY ATTORNEY'S REPORT

authorization to replace them. During further discussion, it was the consensus of the Council, that after the Run-off election, they would appoint a total of five election officials and two alternates for each precinct. Other issues discussed are: 1) all election officials will receive training on the Automark machines, 2) poll watchers will not be marking any ballots as they are only to observe and not position themselves behind the desk counter or table with the election officials, 3) poll watchers should not influence the voter or interfere with the election process, 4) poll watchers campaigning should be at least 30 feet away from the entrance of the voting place, 5) police shall mark off the 30 feet distance, 6) additional provisional instructions will be placed on the walls at each precinct, 7) City Clerk shall label all the boxes with the precinct name prior to delivering them on Election Day, 8) the same procedures for storing the voting machines that were used for the August 26th election, shall be used in the October 7th election. Attorney Nunn stated that September 22nd is the deadline for presenting any changes in the election officials for the Run-off election. Attorney Nunn further stated that the principal at Byrd School is requesting that the Run-off election be the last election held at the school due to unforeseen incidents on the August 26th election; the request will be placed in writing and presented to the City Council to take action on. Attorney Nunn also stated that he is seeking pre-clearance on the Old Kentucky Fried Chicken Building, because the owners have stated that they are going to "tear down" that building; that complaints were also received regarding Ford's Grocery, as well as Northern Heights Presbyterian Church in Ward 6, stated that the Run-off would be their last election.

H. **Alcoholic Beverage License.** Attorney Nunn stated that Mr. Awford Cook (Cook's Discount Snack Stand 820 1st Avenue) request consideration for liquor license. Following discussion, no motion was made on this item, therefore no action was taken at this time.

I. **Absentee Ballot Box.** City Clerk Lois Williams that the same procedures that took place for the August 26th election would take place for the Run-Off election as well, and asked the Council and candidates to preview the absentee ballot box, which has been brought to the chambers and it will be sealed. Ms. Williams further stated that her office would begin accepting absentee applications on September 9th through October 2nd. Procedures for absentee voting remain the same with a deadline for receipt of absentee ballots on October 6th until 5:00 p.m. by mail and by noon on Election Day for hand delivery and emergency absentee. The absentee ballot box was sealed during the meeting with public attendance.

BUSINESS ITEMS:

I. **Letter Chapter**

President Evans stated that this item would be continued.

II. **Travel for Council**

President Evans stated that this item would be an item for discussion for the next FY budget.

III. **Discretionary Spending**

It was the consensus of the Council not to spend any discretionary funds during the period prior to the new Council taking office.

IV. **Youth Ambassador Spending From Council Travel**

During discussion, a motion was made by Councilwoman Martin and seconded by Councilman Leashore for the Youth Ambassadors to have \$1,000.00 travel expenses or orientation and training from the September 2008 budget. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Reid Cain, Chairperson

No Report.

ADMINISTRATIVE COMMITTEE - Councilman Dr. Cecil Williamson, Chairperson

No Report

STANDING COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE - Councilwoman Dr. Geraldine Allen, Chairperson

Report

COMMUNITY DEVELOPMENT COMMITTEE - Councilwoman Bennie Ruth Crenshaw, Chairperson

No Report

PUBLIC WORKS COMMITTEE - Councilwoman Jannie Venter, Chairperson

No Report

DISCRETIONARY FUNDS COMMITTEE - President George Evans, Chairperson

Report.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

ADJOURNMENT

There being no further business to come before the Council, 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 6:50 p.m.



GEORGE P. EVANS, *Council President*

ATTEST:



LOIS WILLIAMS, *City Clerk*

APPROVED:



JAMES PERKINS, JR., *Mayor*