

**MINUTES OF THE  
SELMA CITY COUNCIL  
NOVEMBER 25, 2008  
5:00 P.M.**

Call to Order

Invocation: Reverend Benny L. Tucker  
Selma City Council

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, November 25, 2008 at 5:00 p.m.

**ROLL CALL**

The following members were present during roll call: Council President Pro Tempore Dr. Cecil Williamson and Council members Dr. Monica Newton, Angela Benjamin, Benny L. Tucker, Bennie R. Crenshaw and Corey Bowie. Others present were Mayor George Evans, City Clerk Lois Williams, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell and the Mayor's Executive Assistant Darlene Rudolph. Council President Dr. Geraldine Allen was absent due to illness. Councilwoman Keith arrived immediately following roll call. Councilman Randolph was absent during roll call, but arrived at the meeting at 5:49 p.m.

**APPROVAL OF AGENDA**

President Pro Tempore Williamson asked for the approval of the agenda items. A motion was made by Councilman Tucker and seconded by Councilman Bowie to approve the agenda items as written. The motion was carried with a majority (show of hands) vote of the Council members present. Councilwoman Crenshaw opposed.

**APPROVAL OF MINUTES**

After approval of the agenda, President Pro Tempore Williamson stated that Ms. Williams asked that the approval of the minutes of November 18, 2008 Regular meeting be continued until the next meeting. It was the consensus of the Council to continue as stated.

**CITIZENS' REQUESTS**

Mrs. Emma Mack and Mr. Cedric Wherry  
Re: World AIDS Week

**MAYOR'S REPORT**

A. **Resolution - #R136-08/09 - Water Avenue Demolition Project.** Mayor Evans stated that he would like to as Ms. Griffeth, Planning & Development Director, to come forward to address the Council. Ms. Griffeth addressed the Council as per said resolution and read in its entirety. A motion was made by Councilwoman Crenshaw and seconded by Councilwoman Dr. Newton to approve resolution R136-08/09 in the amount, not to exceed, \$42,000.00 for the cost of unforeseen structural instability to be paid out of the Community Reinvestment Fund. Following discussion, 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. President Pro Tempore Williamson cast a nay vote.

B. **Resolution - #R137-08/09 - Repairs to the Police Department Training Building.** Mayor Evans stated that he would like to ask Mrs. Kay Jones, Public Buildings Facilitor, to come forward to address the Council. Mayor Evans stated pictures have been distributed to the Council of the repairs needed at the Police Department Training Building. Upon question by President Pro Tempore Williamson, Mrs. Jones addressed the Council briefly and also stated the proposal was submitted by Police Chief Riley. Following discussion, a motion was made by Councilwoman Crenshaw and seconded by Councilman Tucker and Councilman Bowie to approve the resolution to repair the Police Department Training Building in the amount of \$4,400.00. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

C. **General Fund Cash Reserve Update.** Mayor Evans stated that at the last meeting he discussed with the Council the line item "shifting of funds" in the amount of over \$200,000.00 from the Inert Landfill to General Fund in order to meet the obligation, and there was question regarding \$1,000,000.00 supposedly in this fund. Mayor Evans stated that as a result of that Ms. Mitchell has prepared an account of the General Fund cash reserve, which he relayed to the Council as per documents distributed. President Pro

**MAYOR'S REPORT**

Tempore Williamson stated that no comments will be given at this time, however, when President Dr. Allen returns they will schedule a meeting with the Finance Committee.

D. **Repairs to Mayor's Office.** Mayor Evans stated that he would like to make the Council aware that he would like to get his office painted and he mentioned this issue at the last meeting; that he wants to move forward during the holidays to get the office painted and work on furniture needs, which should not exceed \$3,000.00 that he could take out of his Contingency account or Oil Lease money to get this done.

E. **Communication Between City Council and Department Heads.** Mayor Evans stated that this item is merely a letter of understanding referencing communication between City Council and Department Heads, which he read and discussed with the Council.

F. **Broadcasting Council Meetings on the City Web Site.** Mayor Evans stated that as per request of the Council on last week, the broadcasting on the City Webpage is \$49.00 per month, which is allocated through IT.

G. **Request for State Examiners to Perform Independent Audit for the City of Selma.** Mayor Evans stated that he would like to make the Council aware that he would like to request the State Examiners to perform an independent audit of City Funds for the purpose of having a "benchmark" since he has "taken over", and he is not trying to accuse anybody of nothing, but because an audit has already been let by the former mayor with a company out of Birmingham; they have already received some information from the City and he has contacted them to possibly cancel the contract and allow him to select a firm to complete the audit, which he would probably have gone with the same company who did the audit last year; WilsonPrice. Unfortunately, he stated, they said they could not do so, and if insisted it would cost the city \$45,500.00 to do so; therefore, he is asking the State Examiners to come and do an audit "for free" so that he would have a "benchmark" to find out the exact of where the finances stand.

H. **Designation of Presiding Municipal Judge.** Mayor Evans stated that at the last meeting, the Council appointed the municipal judges and he has met with Judge Prince Chestnut and Judge Haygood on today and they are both eager to work. Mayor Evans further stated that at this time he will appoint Judge Chestnut as the Presiding Judge and Judge Haygood as the Associate Judge.

**CITY ATTORNEY'S REPORT**

**PUBLIC HEARING**

Attorney Nunn stated that if the Council recalls during the last Council meeting, a public hearing was scheduled for today at 5:00 p.m., which ran in the newspaper twice, on the 16<sup>th</sup> and 23<sup>rd</sup>, dealing with two properties located below Golden Ranch on Highland. Attorney Nunn stated that he gave copies of this information to the Council at the last meeting and the City Council passed that this property be annexed into the City of Selma and it was presented to the Planning Commission, who made a recommendation to zone this piece of property as a B2. Attorney Nunn further stated that we are here today to have a public hearing to hear if there is anyone present who is for or against the piece of property and they would have an opportunity to come and present their arguments at this time. President Pro Tempore Williamson asked if there was anyone present to speak for or against the property annexation in question. There was none. Following a brief discussion regarding the location of the property:

A. **Ordinance - O102-08/09 Zoning.** A motion was made by Councilwoman Keith and seconded by Councilwoman Newton to approve the said ordinance. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

**Ordinance - O103-08/09 Zoning.** A motion was made by Councilwoman Keith and seconded by Councilman Tucker 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. **Alcoholic Beverage License - Next Level Bar & Grill.** Attorney Nunn stated that the Council has been given copies of an alcoholic beverage license, owner Van Ness Watkins, located at 1624 Marie Foster to be placed on first reading. A motion was made by Councilman Tucker and seconded by Councilman Bowie to place the said license on first reading. Following a brief discussion, a roll call vote was taken and the motion passed with a majority vote of the Council members present. Councilman Randolph arrived in the Chambers during the vote on this item. There were six affirmative votes and two nay votes. Council members Dr. Monica Newton and Bennie R. Crenshaw cast a nay vote.

C. **Procedure for Alcoholic Beverage License.** Attorney Nunn stated that the Council has been given a copy of the procedures for alcoholic beverage license, for the Council's information. Attorney Nunn briefly discussed the procedures with the Council.

**CITY ATTORNEY'S REPORT**

D. **Update - Selma Water & Sewer Board Case.** Attorney Nunn state that the Council has been copies of the update on the Water & Sewer Board case, which the Council requested at the last meeting, concerning the status of the case. Attorney Nunn stated that that the Supreme Court reversed it back down to the lower court, and nothing has been done at this time by the lower court, which is the Circuit Court.

E. **Proposal to Add a New Committee.** Attorney Nunn stated that at the last Council meeting, there was a request to place a Children & Families Committee in the rules and procedures. Attorney Nunn stated that he has spoke to the Mayor and President Dr. Allen and she prefers to "hold off" on anything as it relates to amending the ordinance dealing with committees until she can provide more input; and there is also a concern about the cost factor. Councilwoman Benjamin stated that she has since learned that the ordinance is not the only route to add a committee; that this committee could probably be appointed by the "Chair" and when President Dr. Allen has a chance to read the information, she will ask that it be appointed and that would save the City some money too.

F. **Rules and Procedures.** Attorney Nunn stated that copies of three ordinances have been given to the Council for review at the last Council meeting. Attorney Nunn stated that there was one ordinance and two amendments to the ordinance; one amendment that President Dr. Allen wants to move the President to voting last on the roll call, and if there are any other amendments, please feel free to let him know.

G. **Resolutions #R133-08/09 & #R134-08/09 - Appointment of City Clerk and City Treasurer.** Attorney Nunn stated that if the Council recalls, during the last meeting, resolutions were given to the Council as it relates to this matter; and a vote was taken, however, it is back on the agenda. A motion was made by Councilman Bowie and seconded by Councilman Tucker to recommend opening the positions for applicants, such as done with the School Board, to allow other applicants to apply for the positions, and turn this item over to the Administrative Committee to conduct interviews for both the Clerk and Treasurer positions. Following discussion, a roll call vote was taken and the motion passed with a majority vote of the Council members present. There were seven affirmative votes and one nay vote. Councilman Randolph cast a nay vote. It was the consensus of the Council to accept the applications and resumes already received. Attorney Nunn also read as per State law regarding appointment and residency of the City Clerk and City Treasurer.

H. **Continue the City Clerk and City Treasurer Temporary Appointments.** Attorney Nunn stated that during the last meeting it appears that there was a motion to reappoint City Clerk Williams and City Treasurer Cynthia Mitchell, made by Councilwoman Crenshaw, which both motions failed to reappoint and at that point and time they were not reappointed to their positions and it is left up to the City Council at this time whether you want them to continue in their positions until the City Council takes a vote. A motion was then made by Councilwoman Crenshaw and seconded by Councilwoman Newton to allow the current City Clerk and City Treasurer to continue in their positions until a decision has been made by the Council. President Pro Tempore Williamson stated that he believes the plan is to elect someone at the next Council meeting. A roll call vote was taken and the motion passed with a unanimous vote of the Council member present.

**BUSINESS ITEMS:**

I. **SELMA CITY SCHOOL BOARD APPOINTMENTS**

President Pro Tempore Williamson stated that appointments to the Selma City School Board would be turned over to the Administrative Committee, and should follow the same procedures. The Council concurred.

II. **MONETARY REQUESTS**

President Pro Tempore Williamson stated that a list of agencies has been distributed to the Council if any wants to of their discretionary funds. Brief discussion followed by Councilwoman Crenshaw with the reading of a letter from the Selma Youth Ambassadors. A motion was made by Councilwoman Crenshaw and seconded by Councilman Randolph asking the Council to consider an \$4,000.00 contribution from the Council travel budget and \$4,000.00 from the Special Projects for the Selma Youth Ambassadors to help with travel expenses to Ground Zero and the United Nations building in New York. Following a brief discussion, 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 two nay votes. President Pro Tempore Williamson and Councilman Tucker each cast a nay vote.

III. **ANIMAL SHELTER**

President Pro Tempore Williamson stated that this item would be handled by the Mayor.

**BUSINESS ITEMS:**

**IV. JOB FAIR**

Councilman Randolph stated he would like to keep this on the agenda until a plan is developed.

**V. RADIO BROADCAST PROPOSALS**

President Pro Tempore Williamson stated that two proposals were received; one for \$7,000.00 and one for \$7,200.00. A motion was made by Councilman Bowie and seconded by Councilwoman Keith to accept the lowest bid, which is WHBB. Councilwoman Newton asked where the funding would come from. President Pro Tempore Williamson stated that he would be asking if each Council member want to pay a part of this cost. 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 three nay votes. Council members Samuel Randolph, Benny L. Tucker and Bennie R. Crenshaw each cast a nay vote.

**VI. ELECTED OFFICIALS PRAYER DAY UPDATE**

Councilman Bowie stated that he wants to invite the citizens to our "inaugural" elected officials' prayer day, which will be held on Monday, December 1, 2008 from 12 noon until 1:00 p.m. in the Council Chambers.

**VII. STANDING COMMITTEE APPOINTMENTS**

President Pro Tempore Williamson stated that he has distributed the list of Standing Committee appointments made by President Dr. Allen.

**VIII. CHRISTMAS HOLIDAY**

President Pro Tempore Williamson stated that the employees are given Wednesday and Thursday, the 24<sup>th</sup> and 25<sup>th</sup> as Christmas holiday and Friday, the 26<sup>th</sup> has also been questioned; he then asked the Mayor if he has a recommendation. During discussion, Mayor Evans stated that his suggestion or recommendation would be to have Thursday and Friday as the Christmas holiday oppose to Wednesday and Thursday. Councilwoman Newton suggested to work Wednesday until noon. A motion was made by Councilwoman Newton and seconded by Councilman Bowie to suggest that employees work on Wednesday until noon and then be off on Thursday and Friday. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

**IX. RECYCLING PROGRAM**

Councilwoman Keith stated that at the National League of Cities she learned just how behind we are with "going green" and she is in hopes that the City could start a recycling program of some sort. Councilwoman Keith stated that what she would like to do is to start working in the elementary schools immediately and start a recycling program of cans to involve the students. Councilwoman Keith further stated that this start would give us time to "get people's heads there" in a recycling mode and in the meantime get ready to do a "full-fledged" program with paper, cans, bottles, glass, etc., but some efforts need to be addressed towards recycling because there are some full landfills, we are running out of land and "we just don't need to be doing that." She further stated that if anyone has ideas or wants to help to let her know and she will be exploring funding and management for this program.

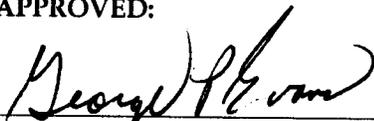
**CLOSING REMARKS BY EACH COUNCIL MEMBER.**

**ADJOURNMENT**

There being no further business to come before the Council, a motion was made by Councilwoman Crenshaw and seconded by Councilman Randolph, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 6:46 p.m.

  
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DR. CECIL WILLIAMSON, *Council President Pro Tempore*

ATTEST:  
  
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LOIS WILLIAMS, *City Clerk*

APPROVED:  
  
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GEORGE PATRICK EVANS, *Mayor*