

**MINUTES OF THE SELMA CITY COUNCIL
MARCH 27, 2006
5:00 P.M.**

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, March 27, 2006 at 5:00 p.m. with the following members present during roll call: Council President George Evans and Council members Dr. Cecil Williamson, Reid Cain, Jean T. 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, City Treasurer Cynthia Mitchell, and the Mayor's Secretary Darlene Rudolph. Reverend Dr. Ron Stone gave the invocation. Councilwoman Dr. Allen was absent from the meeting due to a family emergency.

Pledge of Allegiance
Roll Call

APPROVAL OF MINUTES:

President Evans asked for a motion to approve the minutes of February 27, 2006 regular meeting. A motion was made by Councilman Leashore and seconded by Councilman Randolph to approve the minutes of February 27, 2006. The motion carried with a unanimous vote (show of hands) of the Council members present.

President Evans also asked for a motion to approve the minutes of March 13, 2006 regular meeting. A motion was made by Councilman Cain and seconded by Councilwoman Martin to approve the minutes of March 13, 2006. The motion carried with a unanimous vote (show of hands) of the Council members present.

APPROVAL OF AGENDA:

After review of the agenda items, the following amendments were made:

Additions: None

Deletions: Items:
 IX Returning Trip Monies
 X Posting Trip Expenses
 XIV Crime Task Force

Following discussion of the agenda items, a motion was made by Councilwoman Martin and seconded by Councilman Randolph to approve the said agenda as amended. The motion carried with a unanimous vote (show of hands) of the Council members present.

CITIZENS' REQUEST

Ms. Tina Price (Arrived later in the meeting)
Re: Friends of the Montgomery National Historic Trail

Mrs. Wanda Maxwell (Arrived later in the meeting)
Re: Teen Summit

Ms. Myra Waddell
Re: Renaming Summerfield Road

Mr. Byrd Looper
Re: Crime in the City

Mr. Ashvin Parikh
Re: Public Health Day

I. MAYOR'S REPORT

A. Selma Public Library Funding. Mayor Perkins stated Senator Sanders is present at his request because he was in agreement to assist with the negotiations of the Library issue and we had agreed to work something out with the County as to how we would proceed with the upcoming months and throughout the remainder of, not just this fiscal year, but throughout the duration. Mayor Perkins asked Senator Sanders to share with the Council the negotiations thus far so that they can hear a third party assessment of where we are. Mayor Perkins stated he would like to ask Senator Sanders to come forward at this time and share this information with the Council. Senator Sanders addressed the Council stating for some months now, in fact, starting in December, he was deeply involved in the negotiations with the Library, City and County to try to work through this issue. Senator Sanders stated he is not at liberty to give any details, but all he can say is that the City will cover two of the next six months, and the rest will be taken care of.

I. MAYOR'S REPORT

Senator Sanders stated he is limited to what he can say at this time other than it is worked out that the City will cover the months mentioned and the other months will also be covered. Senator Sanders stated he understands this is general information, but he is under restrictions. Senator Sanders further stated that nothing has been resolved regarding what happens in October except what the County has said all along that when they do their budget, they will make a good faith effort and as they draw near that time, there will be a lot more negotiations on this issue.

Councilwoman Crenshaw asked Senator Sanders in that nothing has been worked out for October, if he would please do the best he can with the other legislatures to see if something can be put in place for the Library that will be long term? Senator Sanders stated both legislators, Representative Salaam and Representative Thomas have expressed an interest in working together on this issue to try to ensure that this will not be a public issue. Councilman Dr. Williamson asked Senator Sanders when is a commitment needed to do this? Senator Sanders stated as soon as possible.

Mayor Perkins stated having heard the update from Senator Sanders, he asks if the Council would make a motion and approve the payment of two months of the utility bills as presented by the Library to the City. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to approve two months payment of utility bills for the Library in this fiscal year.

Councilman Dr. Williamson asked if the funds would come out of the unappropriated funds? President Evans stated he would think this would be so, unless Ms. Mitchell or Mayor Perkins chooses otherwise. Councilman Dr. Williamson asked if an amendment would be accepted for the funds to come out of the unappropriated funds? Mayor Perkins stated he would accept this as a friendly amendment. A roll call was taken and the motion passed with a unanimous vote of the Council.

B. Crime Task Force. Mayor Perkins stated that the Council is aware that collectively a Crime Task Force has been appointed. Mayor Perkins stated the Crime Task Force had its initial meeting on the 21st, Tuesday, of last week. Mayor Perkins stated he had an opportunity to meet with the Chairperson and the Co-Chairperson of the Crime Task Force and what has come out of the discussion is a consensus that we announce and deal with a town hall meeting on crime.

Mayor Perkins stated in 2003, we had a problem with violent crimes and we had a series of town hall meetings on crime; at the initial meeting the Crime Task Force formation was announced, and the consequence of that was increased citizen participation. Mayor Perkins stated with the increased citizens participation, what we saw was a reduction in violent crimes, and we reported a murder reduction of over 40% in our city.

Mayor Perkins stated the Crime Task Force has invited the appointees to be at the town hall meeting on April 3, 2006 from 5:30 p.m. - 7:00 p.m. at the Carl C. Morgan Convention Center. Mayor Perkins stated he has also asked the Chief of Police to pull together a foundation for an aggressive strategy to deal with the robberies, burglaries and so forth. Mayor Perkins stated this would be used as a foundation to develop a strategy that will be recommended from both an enforcement and social perspective.

C. Monthly Financial Reports. Mayor Perkins stated the Council has been given the monthly financial reports and he noticed on the agenda that one of the Council members expressed some concerns about not receiving it in the last meeting, but if the Council recalls, many of the members of the Council were absent and he was absent, and it was agreed that the Council would address two issues so the distribution of this document was simply deferred until this meeting. Mayor Perkins stated he would like to bring to the Council attention that the year to date sales tax is up over \$200,000.00, lodging tax year to date is up over \$22,000.00, tobacco tax year to date is up nearly \$73,000.00 and the cash position year to date is over \$6,500,000.00. Mayor Perkins stated if there are any questions, he strongly encourages the Council to either give him a call or submit them in writing and the information will be provided as soon as possible.

D. Length of Service Recognition Awards. Mayor Perkins stated there are employee service pins to be given out today and he asked Ms. Lois Williams, City Clerk, to come forward in recognition of *Five years of dedicated service to the City of Selma*, Mr. Joseph Salter, Fire Department, to come forward in recognition of *Ten years of dedicated service to the City of Selma*, Lieutenant John Brock, Police Department, to come forward in recognition of *Twenty years of dedicated service to the City of Selma*, and Mr. Charles Thomas, Recreation Department, to come forward in recognition of *Twenty years of dedicated service to the City of Selma*.

I. MAYOR'S REPORT

E. Presentation of Certification to Chief Martin. Mayor Perkins stated he would like to ask Chief Martin to come forward in recognition of successfully completing 80 hours in the Alabama Association of Chiefs of Police and University Partnership Training for the Alabama Continuing Education Program. Mayor Perkins stated he is to be commended and this Certificate of Law Enforcement was issued on February 23, 2006.

F. Acknowledgement of Achievement in Leadership Excellence. Mayor Perkins stated the National League of Cities Leadership Training Institute recognizes the dedication and commitment of Councilman Johnnie M. Leashore for the successful completion of the Bronze Certificate Leadership Builder. Mayor Perkins stated he would like to also recognize Councilman Samuel L. Randolph with a Certificate of Achievement in Leadership Proclamation as well as for the successful completion of the Silver Certificate of Leadership Executives.

G. Notice - Medical Needs Shelter. Mayor Perkins stated we are preparing for hurricane season again and tornado season. Mayor Perkins stated the Council has been given a folder with a copy of a notice from Governor Riley, a blanket document, exercising his right, power and authority to operate emergency management facilities, including medical needs shelters, throughout the State of Alabama as needed. Mayor Perkins read the document to the Council and stated that this document proactively designates the Convention Center, as a medical needs shelter in the event of a disaster. Mayor Perkins stated we do not have one designated in Selma and this facility was used during Hurricane Ivan. Mayor Perkins stated the State of Alabama has asked that communities get this done before the disaster occurs. Mayor Perkins stated the reason he brought this to the Council is because he respects the authority of the Council over the facility, however, he stated if this was an emergency and the middle of a disaster, as Mayor, he would have the authority to move on this issue without the approval of the Council, but since it is not an emergency, out of respect, he asks the Council to vote to give authorization to proceed with this effort. During discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw recommending designating the Convention Center as a City facility for medical needs. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

H. Answers to Questions Submitted. Mayor Perkins stated the Council has been given copies of the answers to the questions submitted by Councilman Dr. Williamson, he trust this answers his questions with satisfaction and he looks forward to having conversation with him about it. President Evans stated he would like the record to reflect that the Council has copies of information requested with the exception of the travel breakdown, which would be obtained from Council Secretary Diana Johnson.

I. Resolution #R126-05/06 - Police Department Vehicle. Mayor Perkins stated this resolution is for the police vehicle and the bid documents are attached. Mayor Perkins stated the lowest responsible bidder is Moore-Stewart Ford and he asks Council favorable consideration. During discussion, Mayor Perkins stated this is at least the second occurrence where a council member expressed a concern about who received the bid and sent staff back to re-bid because the person or business that they felt should have received the bid did not get it. Mayor Perkins stated he want to caution the Council that this cannot be a pattern because this could be a violation due to a thin line of bid rigging. Mayor Perkins further stated we do not want to put the City in this kind of situation because a company does not receive the bid and he strongly encourage the Council to reconsider this practice. President Evans stated the main concern of the Council was that the vendor was outside of the City, and the question was asked why it could not be a vendor in the City, however, he does understand what Mayor Perkins is saying. A motion was made by Councilman Cain and seconded by Councilwoman Martin to approve the said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

J. Good Samaritan Hospital Update. Mayor Perkins stated he would like to bring the Council attention to the Good Samaritan operations report, which has more details by month, by line item that shows a cumulative ending balance of \$23,192.00. Mayor Perkins stated he feels this project has worked out good without any general funds.

K. Economic Development Tourism Stimulus Proposal. Mayor Perkins stated the Council has a copy of the Economic Development Tourism Stimulus Proposal to produce dialog on some projects that are on the table. Mayor Perkins stated we are moving forward with these

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projects in the planning and development office and in the next Council meeting there will be resolutions showing account numbers and all of the specific related information to ask for a favorable vote of the Council for the necessary appropriation need to complete the project.

L. Request for Executive Session. Mayor Perkins stated if the Council recalls he was charged to negotiate a transaction for the City and he has an update of that negotiation and asked if the Council would do a friendly amendment to the agenda to allow an executive session, he would be willing to give a report. A motion was made by Councilman Leashore and seconded by Councilwoman Martin to amend the agenda to include an executive session. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

II. CITY ATTORNEY'S REPORT

A. Resolutions - #R132-05/06, #R133-05/06 and #R144-05/06. Attorney Nunn stated there are three officers from the Selma Police Department who are retiring, Charles Weber, Kenneth King and Jackie Struggs, and upon retirement, request to receive their duty weapons and badges as a part of their retirement benefits. A motion was made by Councilman Leashore and seconded by Councilman Dr. Williamson to approve the said resolutions. The motion carried with a unanimous vote (show of hands) of the Council members present.

B. Vacation of Alley and Petition for Assent to Vacate. Attorney Nunn stated the Council has a copy of a petition as it relates to vacating an alley, which is located directly behind AmSouth bank, and between Stoney Vincent Agency. Attorney Nunn stated if the Council recalls, we have already done the alley from Craig Credit Union going east. Attorney Nunn stated he is planning to publish this notice on April 2, 2006, April 9, 2006, April 16, 2006 and April 23, 2006, present it to the Planning Commission on May 9, 2006, and a public hearing is requested to be held during the City Council meeting on May 22, 2006 at 5:00 p.m. Attorney Nunn asked the Council if the Council could approve this date. President Evans stated this request would be granted.

C. Resolutions #R130-05/06 and #R134-05/06 through #R143-05/06 - Notice of Lien. Attorney Nunn stated the Council has copies of several resolutions, #R130-05/06 and #R134-05/06 through #R143-05/06 to complete the process of demolition of abandoned houses. Attorney Nunn stated the law states that the Council should assess the cost to the property, after which, a lien would be applied to the property along with a notice to the landowner. A motion was made by Councilwoman Crenshaw and seconded by Councilwoman Martin to approve the said resolutions. The motion carried with a majority vote (show of hands) of the Council members present.

D. Liquor License Application - A & N Minit Shop, LLC. Attorney Nunn stated, in a previous Council meeting, the Council placed this liquor licenses on first reading; A & N Minit Shop, LLC located at 2301 Broad Street. A motion was made by Councilwoman Crenshaw and seconded by Councilman Randolph to approve the said liquor license. A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were six ayes and two abstentions. Councilman Dr. Williamson and Councilwoman Venter abstained from voting.

Liquor License Application - Minit Shop 2, LLC. Attorney Nunn stated, in a previous Council meeting, the Council placed this liquor licenses on first reading; Minit Shop 2, LLC located at 500 Cahaba Road. A motion was made by Councilman Cain and seconded by Councilwoman Martin to approve the said liquor license. A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were six ayes, one abstention, and one nay. Councilman Dr. Williamson abstained from voting. Councilwoman Venter cast a nay vote.

E. Liquor Licenses to be Placed on First Reading. Golden Ranch BBQ & Grill located at 2003 West Highland Avenue, French Quarter Night Club located at 1301 Water Avenue, A & N Minit Shop #2 located at 2800 Citizens Parkway, and Vasser's Mini Mart located at 1900 West Dallas Avenue. A motion was made by Councilwoman Crenshaw and seconded by Councilman Randolph to place these four liquor licenses on first reading. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

F. Lawsuit Settlement. Attorney Nunn stated the lawsuit filed in 2004; Brenda Bohannan vs. City of Selma, has been settled for a nominal amount and dismissed.

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G. Special Election - April 25, 2006. Attorney Nunn stated there would be a Special Election held within the City of Selma on April 25, 2006 from 7:00 a.m. to 7:00 p.m. Attorney Nunn stated absentee voting is already in process through the City Clerk's Office. Attorney Nunn stated the Council is asked to announce this election in their wards that this is a renewal and continuation of 7.4 Mill school tax for the City of Selma Schools. Attorney Nunn stated the Council has voted by ordinance to hold an election and asked if they would promote the renewal of this tax.

H. Ordinance-Amending Rules and Procedures. Attorney Nunn stated as per Council request, as it relates Councilwoman Venter not present to vote and whether she can cast a vote at the next meeting regarding the issue of amending the rules and procedures. Attorney Nunn stated the answer to this question is no, if a Council member is not present, not even a proxy can be taken, if a Council member is not present, the issue cannot be discussed in the next meeting or after the meeting has been adjourned.

BUSINESS ITEMS:

III. RENAMING STREETS (LAPSLEY STREET & SUMMERFIELD ROAD)

President Evans stated this issue was brought to the attention of the Council earlier as well as Council members receiving calls as it relates to the Council decision to change Lapsley Street to Boynton Street, and some of Summerfield Road. President Evans stated the question is why was one half chosen and not the other. During discussion, Councilman Dr. Williamson stated he would suggest holding public hearings concerning this issue. Councilwoman Crenshaw stated if public hearings are held, it should include all of Lapsley Street and Summerfield Road. Councilwoman Crenshaw further stated a public hearing would possibly have more than the residents in that area, but citizens from all areas of the City. Councilman Cain stated all residents were not given due process, especially in the riverside/Highland Avenue area. Councilman Leashore stated he would recommend leaving the decision made in place and address future renaming of streets. Following a lengthy discussion, President Evans stated he would appoint a Renaming Streets Committee consisting of Councilwoman Martin as the Chairperson, Councilman Cain, Councilwoman Crenshaw and Councilwoman Dr. Geraldine Allen, and no action will be taken on this issue until the committee reports an update to the Council or bring a recommendation to the Council at the next Council meeting.

IV. UNEMPLOYMENT COMPENSATION PAYMENT

President Evans stated he would follow-up with Mayor Perkins on this issue.

V. THURSDAY WORK SESSIONS

President Evans stated Thursday work sessions have been considered to possibly discuss a lot of items prior to the Council meeting to move the meeting a little quicker. President Evans stated dialogue could be expressed during work session and that item can be just a matter of voting at the Council meeting on Monday with very little dialogue. Councilwoman Crenshaw stated when an item is agreed on in the work session, in the Council meeting it becomes something totally different and she is not willing to have two Council meeting. Councilman Leashore concurred. During discussion, President Evans stated there would be a trial work session held on Thursday, April 6, 2006 at 5:00 p.m. Councilman Cain departed from the Chambers briefly and returned.

VI. COMMITTEE APPOINTMENT

Councilman Leashore stated this concern came about after two additional Council members were appointed to the Public Safety Committee. Councilman Leashore stated in addition to Councilman Cain, Chairperson, Councilwoman Crenshaw and Councilwoman Venter, Councilman Dr. Williamson and Councilwoman Martin were also appointed to this committee. Councilman Leashore stated he researched information from the Selected Readings, page 48, which he read to the Council. After which, Councilman Leashore further stated he feels this issue needs to be readdressed. President Evans stated he would also research this issue and asked Attorney Nunn to research this issue and bring an update to the Council.

BUSINESS ITEMS:

VII. GENERAL SERVICES GRASS CUTTING SCHEDULE

President Evans stated he would follow-up with Mayor Perkins on this issue.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - COUNCILMAN SAMUEL RANDOLPH, CHAIRPERSON

Councilman Randolph stated the opening ceremony for baseball season is scheduled for Thursday.

ADMINISTRATIVE COMMITTEE - COUNCILWOMAN DR. GERALDINE ALLEN, CHAIRPERSON

There is no report for the Administrative Committee.

PUBLIC SAFETY COMMITTEE - COUNCILMAN REID CAIN, CHAIRPERSON

Councilman Cain stated the Public Safety Committee would meet on Wednesday, April 5, 2006.

COMMUNITY DEVELOPMENT COMMITTEE - COUNCILWOMAN JEAN MARTIN, CHAIRPERSON

There is no report for the Community Development Committee.

PUBLIC WORKS COMMITTEE - COUNCILMAN LEASHORE, CHAIRPERSON

There is no report for the Public Works Committee.

DISCRETIONARY FUNDS COMMITTEE - COUNCILWOMAN CRENSHAW, CHAIRPERSON

Councilwoman Crenshaw stated the Council has given a total of \$1,001.00 from discretionary funds.

EXECUTIVE SESSION

President Evans requested a motion to recess into executive session, and stated the reason and length of time needed. A motion was made by Councilman Leashore and seconded by Councilwoman Martin to recess this meeting into executive session to discuss matters of negotiation and acquisition of property at 8:34 p.m. for a period of approximately fifteen minutes. The motion carried with a unanimous vote (show of hands) of the Council members present.

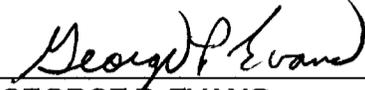
Following executive session, a motion was made by Councilman Leashore and seconded by Councilwoman Venter to reconvene the meeting into regular session at 8:58 p.m. The motion carried with a unanimous vote (show of hands) of the Council members present.

President Evans stated the meeting has been reconvened following executive session dealing with matters of negotiation and acquisition of property, and now the Council is asked to consider continuation of the negotiations of this matter. A motion was made by Councilman Leashore and seconded by Councilwoman Venter to authorize the Mayor to continue the negotiations for the purchase of real estate under the same terms. The motion carried with a majority vote (show of hands) of the Council members present. There were six ayes and two opposes. Councilman Dr. Williamson and Councilman Cain oppose this motion.

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MARCH 27, 2006
5:00 P.M.

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 the Council adjourned the meeting at 8:59 p.m.



GEORGE P. EVANS, *PRESIDENT*

ATTEST:

APPROVED:



LOIS WILLIAMS, *CITY CLERK*



JAMES PERKINS, JR., *MAYOR*