

**MINUTES OF THE SELMA CITY COUNCIL  
NOVEMBER 26, 2007  
5:00 P.M.**

Call to Order

Invocation: Reverend John Davis, Pastor

Moment of Silence  
Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, November 26, 2007 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 T. Martin, Geraldine Allen, Johnnie Leashore, Samuel Randolph, Bennie R. Crenshaw and Jannie M. Venter. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, Assistant City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Darlene Rudolph.

**PUBLIC MEETING – CITY BUSINESS LICENSE CODE AND SCHEDULE OF LICENSES**

**APPROVAL OF AGENDA**

President Evans asked for the approval of the agenda items. A motion was made by Councilwoman Martin, and seconded by Councilman Randolph, to approve the agenda as written, with the changes made:

Deletions: Item #s I, IV, VI, and VII

**The motion passed with a unanimous (show of hands) vote of the Council.**

**APPROVAL OF MINUTES**

After approval of the agenda, President Evans stated this item will be continued until the next Council meeting.

**CITIZENS' REQUESTS**

Mrs. Carolyn Robinson  
Re: Bond Issue

Mr. Jim Truax  
Re: Business License Increase

Ms. Debra Henderson  
Re: Bond Issue

Mrs. Nancy Sewell  
Re: Reading Is Fundamental (R.I.F.) – Christmas Distribution

Mr. Robert Davis  
Re: Bond Issue

Mrs. Tracey Shannon  
Re: Bond Issue

**MAYOR'S REPORT**

**A. Ordinance #O101-07/08 – Bond Issue.** Mayor Perkins stated he would like to ask Council favorable consideration in the vote to allow the citizens to vote on the bond issue, in the form of Ordinance #O101-07/08. A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to allow the citizens to vote on the bond issue in the form of Ordinance #O101-07/08. During discussion, Mayor Perkins asked Ms. Terri Sewell, the Bond Attorney, to come forward and address the Council. Ms. Sewell stated the Ordinance before them is for three (3) specific purposes; first, to set an election date of February 26<sup>th</sup>, on which there will be a proposition; second, the ballot itself, and the third is to designate the polling stations. Ms. Sewell further stated the citizens will vote as the proposition as written in the Ordinance on specific measures that have been delineated in the proposition. Ms. Sewell also stated it will be a bond issue of 12.3 million dollars for those seven (7) purposes. Ms. Sewell stated to the Council that

**MAYOR'S REPORT**

they will come back if it is approved by the citizens of Selma and determine how the bond proceeds are allocated. Ms. Sewell further stated this Council has already stated its intent which was in line with the list of projects as to the amount of money but the specific sums of money other than the maximum amount which is 12.3 million dollars will be determined by the Council. Ms. Sewell stated this bond represents the Bond Referendum being placed on the ballot, but there will have to be a subsequent Ordinance approved by this Council, setting the terms of sale, and at that time they could also set the specific dollar amounts as to how the proceeds will be distributed. Following discussion, a roll call vote was taken and the motion passed with a majority vote of the Council. There were six ayes and three nay votes. Councilman Cain, Councilman Williamson, and Councilwoman Martin each cast a nay vote. During roll call, President Evans stated he has had a lot of people call and talk to him about this bond and that he gave his word some time ago that he would support this bond and give citizens an opportunity to vote for it and he will stand by that, and he thinks the citizens have a right to vote for the bond based on what he has told them from the beginning, and that he is going to make sure that all of the questions, line items, and all of the information pertaining to this bond be clarified before the citizens vote. President Evans further stated he thinks they are entitled to know exactly where the money is going to come from, and who is going to do the job and what it is going to cost before they vote, because if they do not get that information he thinks they should vote it down, and he stands firm on that, and he votes for the bond issue to pass. During roll call, Councilman Cain stated he votes no because he thinks they should have that information prior to adopting the ordinance. During roll call, Councilwoman Martin stated she is going to have to vote no for the reason of the people that have come to her with their own questions and doubts. During roll call, Councilwoman Allen stated her vote tonight is one that is not actually an approval of all items of the bond. Councilwoman Allen further stated she has problems with the City continuing to buy buildings such as movie theater, hospital, hotel or having cameras that will require expenditures by this City for more salaries for some individuals to view them while they need available funding to get or help Police Officers, however, she does feel it is the right of their constituents to make a decision whether they want this bond, and with this being said, she votes yes. During roll call, Councilman Leashore stated that he too has had a tremendous amount of calls in support of this bond because the citizens of Ward 6 and those who do not live in Ward 6 see the future of this City on the verge of being where they need to be. Councilman Leashore further stated there are a lot of citizens that are longing for an opportunity to show them and all other elected officials that this bond is something that they have been needing for quite a long time. Councilman Leashore also stated see that this City is going to be able to prosper, and come out of the dungeon into the 21<sup>st</sup> century and there is a lot of misunderstanding about this bond and people need to be informed, and he agrees with that. Councilman Leashore stated there has been plenty of opportunities for those to seek information about this bond, and that this bond issue has not been in the closet, and has been forthcoming public hearings, public input, work sessions, just to name a few. Councilman Leashore further stated he knows that there are those who amongst them who see no real reason to vote in the affirmative for this bond, and he is of the opinion whether he is against it or for it, that the opportunity to allow the people to vote it up or down should be the main reason for their vote, and with that, his vote is yes. During roll call, Councilwoman Crenshaw stated she heard some passionate remarks tonight and those remarks came from citizens, and she is having a difficult time with them on this Council when they do not recognize actually what people feel about a certain issue, and she thinks those people who came tonight came with some real concerns about Selma and the love for Selma, and that is really what they need to listen to, and put their personal agendas aside, and really think about what is best for their children and the future, and having said that she wants to thank every individual that came tonight, not from a phone call and from any preconceived notions that people are thinking this or thinking that. Councilwoman Crenshaw further stated she really does feel that and says to them that she appreciates their presence, and not hiding behind a telephone to tell a person something that they do not truthfully feel but only to use it as a stumbling block for this City, and having said that she votes yes. During roll call, Councilwoman Venter stated she has heard the passion from the citizens tonight, and not only do she want something for her children and grandchildren to have the right to, but she wants to live to see some of it, too, and with that vote she wants to thank the citizens, too, for coming out and supporting this bond issue, and she does hope when it is time to vote on it, everybody will vote on it. Councilman Venter further stated Selma has been in the black for so long, and the dungeon and so forth, and it is time for it to move to the top, because the bottom will go to the top, and the top will come to the bottom, and it is time for Selma to come to the top, and with that in mind, she says yes she votes wholeheartedly.

B. **Proclamation – Veronica Delois Murray.** Mayor Perkins asked Ms. Veronica Delois Murray to come forward, and be presented with a Proclamation in her honor. Mayor Perkins read the Proclamation in its entirety, and stated Ms. Murray joined the Selma Fire Department on November 16, 1977, and became the first black female firefighter, and that she was later promoted to firefighter driver in 1996, where she continued to serve for Twenty-Four years. Mayor Perkins also stated Ms. Murray transferred to E-911 in 2001, and became a dispatcher until her retirement on May 16, 2003. During the presentation, Ms. Murray's daughter addressed Mayor Perkins and the Council, and stated her mother was the first woman firefighter in the State of Alabama. Ms. Murray was congratulated by Mayor Perkins and the Council for her accomplishments, and was presented a Proclamation in recognition of her contributions and professional accomplishments.

**MAYOR'S REPORT**

C. **Length of Service Recognition Award.** Mayor Perkins stated he would like to present a Certificate of Service in recognition of the following employee: Mr. Donald Barker, *Fifteen Years of Dedicated Service* to the City of Selma Public Buildings Department. Mayor Perkins stated he would like to thank him for his years of dedicated service to the City of Selma. He was also presented with a Longevity Pin.

D. **Resolution #R117-07/08 – Americorp Program.** Mayor Perkins asked Ms. Charlotte Griffeth to come forward and address the Council as it relates to Resolution #R117-07/08. Ms. Griffeth read Resolution #R117-07/08 in its entirety, which represents the total cost of the project in the amount of \$42,184.00 and the maximum grant amount is \$258,741.00. Ms. Griffeth further stated the City of Selma pledges to provide approximately 37% match with cash at approximately \$110,648.40 and in-kind match in the amount of approximately \$54,794.60, to be appropriated in the FY 2008-2009 budget. Ms. Griffeth asks Council favorable consideration of said resolution. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve Resolution #R117-07/08, in the amount of \$110,648.40. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

**CITY ATTORNEY'S REPORT**

A. **Ordinance #O102-07/08 – License Reform.** Attorney Nunn stated to the Council that they have heard from the public during the public forum as it relates to Ordinance #O102-07/08 which they have before them, as it relates to the increase in the business license fees. Attorney Nunn further stated the least that he would expect from the Council is for him to go back and include the 8-9 issues that are mandatory by the Legislative Act without increasing the fees. A motion was made by Councilman Williamson, and seconded by Councilman Cain, to permit Attorney Nunn to revise said Ordinance to include the 8-9 issues that are mandatory by the Legislative Act, without increasing the fees. During discussion, an amended motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to authorize Attorney to re-visit the mandate and bring for the financial amount that this increase will bring for this City. A roll call vote was taken and the motion failed due to lack of a majority vote. There were four ayes and five nay votes. President Evans, Councilman Williamson, Councilman Cain, Councilwoman Martin, and Councilwoman Allen each cast a nay vote. During roll call, President Evans stated he thinks the timing is bad, and that they need to try and take care of one thing at a time, and he thinks based on information he has gotten here tonight he believes that they should leave things as they are for this particular period of time and deal with it at another time. During roll call, Councilman Leashore stated this is how municipalities operate which is through taxes and taxes generate revenue, and they should not be in a position to try and minimize the amount of revenue for which this City is going to need for its continuous growth, and therefore his vote is yes. During roll call, Councilwoman Crenshaw stated her vote is yes, and this is a vote for the people who say they want to patronize the City by spending money because nothing was said about them, and she would not dare put one group of people over another. Councilwoman Crenshaw further stated both groups and sectors have the same importance, and if they look at like that you would vote yes without politics being involved in it, and not being pressured by anyone. A roll call was taken on the original motion to not place any more taxation on the businesses at this time, but to place the points in the ordinance which have been mandated by the Legislative Act, and the motion passed with a majority vote. There were five ayes and four nay votes. Councilman Randolph, Councilman Leashore, Councilwoman Crenshaw, and Councilwoman Venter each cast a nay vote. During roll call, Councilman Leashore stated his vote is going to be no because there was no outcry from the business people in 1991 nor 1997, and that they are now in 2007, this City has to operate on revenues, and therefore his answer is no.

D. **Hollman Case - Update.** Attorney Nunn stated that there is not an update on this case, but it is his plan to call the District Attorney for an update on the case.

**BUSINESS ITEMS:**

I. **NOISE ORDINANCE**

This item will be continued.

II. **RULES AND PROCEDURES FOR GOVERNING THE DELIBERATIONS AND MEETINGS OF THE CITY COUNCIL (SECTION 33)**

President Evans stated the Council needs to make a decision on this item during the meeting of December 10<sup>th</sup>, and stated maybe between that time and now he and Councilman Leashore would have had a chance to meet about this issue, and bring something back before the Council to make a final decision. Councilman Leashore stated to President Evans, if he may he would like to state, meaning no disrespect, that he does not want to waste his time anymore discussing this with him because it is obvious to him that he is set in his way of having the Rules and Procedures which the League of Municipalities has already informed them that they can set any rules that they want to but what they are planning to do is not enforceable.

**BUSINESS ITEMS:**

Councilman Leashore further stated to President Evans, to look at what he proposed which will not bring any hardship to the Council but will; (1) operate within Robert's Rules of Order, and (2) abide by the law. Councilman Leashore stated he thinks the only change in that is that this Council in the past has gone on record of appointing people to boards of directors, and has been doing it by a show of hands, and now the law requires a voice vote so that the records could show who voted for who, and how they voted, which is the only change in his Rules and Procedures. President Evans stated what he proposed to the Council was the fines for Council members who chose to be disruptive in this Council meeting, and those fines were outlined in three (3) areas; \$500.00, 1<sup>st</sup> offense; \$750.00, 2<sup>nd</sup> offense; and \$1,000.00, 3<sup>rd</sup> offense. President Evans further stated initially he had in there that these particular fines would mean that the Council person's payroll check would be held, and that he did check with the League on it and was advised that they could not hold a Council member's payroll like that, and if they noticed, that was revised. President Evans also stated the point he makes is that if a Council member chooses to fight this Council on an issue like that, and if a constituent sees them refusing to pay the fine or either step out of a Council meeting, then he thinks it behooves them to determine whether or not people want to put them back in office, because he cannot make them pay it but they can keep asking for it, and if they do not, then let the taxpayers deal with that. Councilman Leashore stated to President Evans, he thinks one of the severe bones of contention has been his use of the gavel, and that Robert's Rules of Order clearly states a presiding officer should not gavel a council member out of order, even if the council member is perceived as being out of order. Councilman Leashore further stated he feels if the gavel was used equitably and unbiased he thinks we would not have any problems in this Council. President Evans stated Roberts Rules of Order states if a motion is on the floor and you have discussion the only language that can be used is on the motion, and anybody who goes away from that discussion of that motion is out of order, and he does not understand if the Council is going to follow Roberts Rules of Order on some standards but they are not going to follow it when it comes to a motion or a vote of the Council. Councilwoman Crenshaw stated to President Evans that they would not have this problem at all if he would be fair and equitable in his dealings with each of them. Councilwoman Crenshaw further stated that no matter what he wants passed or whatever is passed she will not at any time by he or anyone be harassed in terms of her 1<sup>st</sup> Amendment right to speak if she is given the floor. President Evans stated to Councilwoman Crenshaw that they have to abide by some rules and regulations and nobody has the right to just free-will and do what they want to do, regardless of who they are, and that includes himself. President Evans also stated he is going to stand firm on what he believes, and they must have laws and regulations that govern them. A motion was made by Councilman Cain, and seconded by Councilman Williamson, to approve Ordinance #O123-06/07, with the changes of the language as it relates to Section 33 of said Ordinance. An amended motion was then made to table was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to table said Ordinance #O123-06/07. A roll call vote was taken on the motion to table, and the motion failed for lack of a majority vote. A roll call vote was taken on the original motion to place Ordinance #O123-06/07 on 1<sup>st</sup> reading, and the motion passed with a majority vote. There were five ayes and four nay votes. Councilman Randolph, Councilman Leashore, Councilwoman Crenshaw, and Councilwoman Venter all cast a nay vote. During roll call, Councilman Randolph stated he votes no because this ordinance is to attack Councilwoman Crenshaw, and Councilman Cain is an instigator, and there is nothing addressing Mr. Cain's actions. During roll call, Councilman Leashore stated not only is this ordinance an attack on Councilwoman Crenshaw but also to muzzle himself, and he takes the same position as his colleague, and that he is not going to be muzzled when he takes a position, Mr. President, and his answer is no. During roll call, Councilwoman Venter stated she votes no because he always talks out of turn and nobody ever gavels him down. During roll call, Councilwoman Crenshaw stated she stated her position that if Mr. President created the ordinance for me she will test that ordinance based upon the fact that if she is given the floor to speak she will and her vote is no.

**III. SELMA CITY SCHOOL BOARD APPOINTMENTS**

During discussion, a motion was made by Councilman Cain, and seconded by Councilwoman Martin, to table this issue. A roll call vote was taken and the motion to table this issue passed with a majority vote of the Council. There were five ayes and four nay votes. Councilman Randolph, Councilman Leashore, Councilwoman, Crenshaw, and Councilwoman Venter all cast a nay vote. During roll call, Councilman Leashore stated Councilman Cain does not have a child in the public school system, and therefore Mr. President anyone who does not have their children in public schools but takes a position of not having a full functioning school board as the law requires that governs the Selma School Board of the State of Alabama which requires for an eleven member school board appointed by this City Council to serve a stagnated term, so why is it this Council cannot aside its political differences for the good of our children who deserves a full functioning school board. Councilman Leashore further stated and asked Mr. President why do they continue to use this as a political pawn, and that some people are so hung up that they cannot see fit to move forward with this full functioning school board, and that he votes no. During roll call, Councilwoman Venter asked has not this issue been tabled before, and why can they not go ahead and get the school board up and functioning as it should be, and she votes no.

**BUSINESS ITEMS:**

**IV. BROADCASTING COUNCIL MEETINGS - PROPOSALS**

President Evans stated they should each have a copy of the proposals that were given to them; one from Dixie 100 in the amount of \$6,000.00 annually, one from 105.3 in the amount of \$6,100.00, and the last one from W.M.R.K. A motion was made by Councilman Leashore, and seconded by Councilwoman Allen, to accept the proposal from 105.3 Radio Broadcasting Company, in the amount of \$6,100.00. During discussion, President Evans asked for a show of hands of the Council members who were willing use their discretionary funds for the purpose of broadcasting? Councilwoman Crenshaw stated at the last Council meeting the Council meetings were put on the radio without any input from anybody coming to them to ask them if they were interested in helping to pay and her feelings about that are if whoever decided to put it on then, she sees them continuing, and therefore, she is not one that would be interested in that; it was not brought then and she does not feel she should be a part of it now. President Evans stated at this point he would like to see the hands of the Council members who would be interested in willing to do it from their discretionary funds. President Evans, Councilman Williamson, Councilman Cain, Councilwoman Martin, Councilwoman Allen, and Councilman Leashore all held their hands up, but Councilman Leashore went on record at last Council meeting that he would be interested only if 105.3 Radio would be broadcasting the proceedings. A roll call vote was taken and the motion failed due to a lack of a majority of the Council. There were five ayes, one nay vote, and three abstentions. Councilman Williamson, Councilman Cain, and Councilwoman Martin each cast a nay vote. Councilman Randolph, Councilwoman Crenshaw, and Councilwoman Venter abstained from voting. A motion was then made by Councilman Cain, and seconded by Councilman Williamson, to accept the proposal from W.H.B.B. Radio Broadcasting Company, in the amount of \$6,000.00. A roll call vote was taken and the motion passed with a majority vote of the Council. There were five ayes, one nay vote, and three abstentions. Councilman Leashore cast a nay vote. Councilman Randolph, Councilwoman Crenshaw, and Councilwoman Venter each abstained from voting. During roll call, Councilwoman Allen stated because she feels that the citizens should have a chance to hear their Council meetings she going to vote yes. During roll call, Councilman Leashore stated because 105.3 Radio Broadcasting was the first one during this administration to air their proceedings, because they have a greater and wider listening audience, because they have continued to come forward even after the contract has ended to ensure that the citizens of Selma continue to be privileged to the proceedings of this Council, and because he went on record that if this contract is not given to 105.3 for their generosity then there would be no discretionary funds used to offset or to pay for any other broadcast, his vote is no. During roll call, Councilwoman Crenshaw stated the citizens have always been hearing their meetings, and she abstains from voting.

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

President Evans stated the Christmas Parade will be Saturday, December 1<sup>st</sup>, at 9:00 a.m.

**STANDING COMMITTEE REPORTS**

**RECREATION COMMITTEE – Councilman Leashore, Chairperson**

No Report.

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

Councilman Williamson stated one application for the Municipal Court Judge vacancy has been received.

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

No Report.

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

No Report.

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

No Report.

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

President Evans reported that the Council has collected a total of \$2,300.00.

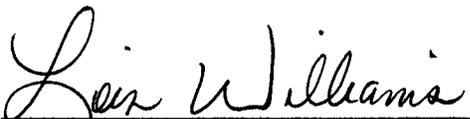
**CLOSING REMARKS BY EACH COUNCIL MEMBER.**

**ADJOURNMENT**

There being no further business to come before the Council, a motion was made by Councilman Leashore, and seconded by Councilman Randolph, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 8:54 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*