

**MINUTES OF THE
SELMA CITY COUNCIL
JANUARY 28, 2008
5:00 P.M.**

Call to Order

Invocation: Reverend Meredith B. Jackson
Dean of Institutional Development – Concordia College

Moment of Silence

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, January 28, 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 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 Executive Assistant Darlene Rudolph. Councilwoman Allen and Councilman Randolph were absent during roll call, however, President Evans stated he is sure they will be here.

APPROVAL OF AGENDA

President Evans asked for the approval of the agenda items. A motion was made by Councilwoman Martin and seconded by Councilwoman Venter to approve the addition of Donnie Roy's nightclub to the agenda. **The motion carried with a unanimous (show of hands) vote of the Council members present.** Following a brief discussion, a motion was then made by Councilwoman Martin and seconded by Councilwoman Venter for the approval of the amended agenda with the deletion of items #6, #10, #13 and #15. **The motion carried with a unanimous (show of hands) vote of the Council members present.** Councilwoman Allen arrived during the discussion of the agenda.

PUBLIC HEARING – Rezoning Request – 625 Medical Center Parkway

Following discussion, a motion was made by Councilman Cain and seconded by Councilwoman Martin to affirm the recommendation from the Planning Board to rezone said property from R60 to B2. An amendment to this motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore to approve the rezoning contingent upon what would be placed on the property, however, following further discussion, the motion and second was withdrawn by both Councilwoman Crenshaw and Councilman Leashore. After additional discussion, the main motion and second was withdrawn by Councilman Cain and Councilwoman Martin. A motion was then made by Councilman Cain and seconded by Councilman Leashore to continue this item for two weeks, until the February 11, 2008 Council meeting, to allow further information to be obtained. **The motion carried with a majority (show of hands) vote of the Council. There were seven affirmative votes and two nay votes. Councilman Williamson and Councilwoman Martin both cast a nay vote.**

Councilman Randolph arrived during the Public Hearing discussion for the rezoning.

APPROVAL OF MINUTES

After approval of the agenda, President Evans asked for a motion to approve the minutes of the January 14, 2008 Regular meeting. Following a brief discussion, a motion was made by Councilman Randolph and seconded by Councilwoman Allen to approve the minutes of January 14, 2008 with corrections. **The motion carried with a unanimous (show of hands) vote of the Council members present. There were seven affirmative votes and one oppose. Councilman Leashore opposed. Councilwoman Venter was absent from the Chambers when the vote was taken.**

CITIZENS' REQUESTS

Mr. Jeannette Brown
Re: Noise and Dog Ordinance

Attorney Faya Rose Toure'
Re: Citizens' Complaint process

Councilman Cain left the Chambers at 6:29 p.m. and returned at 6:38 p.m.
Councilwoman Crenshaw left the Chambers at 7:26 p.m.

CITIZENS' REQUESTS

Ms. Sharon Hunter and Mrs. Ruth Hollman
Re: Hollman's Case

Mr. Robert Walker
Re: Walk to Calvary

A motion was made by Councilman Leashore and seconded by Councilwoman Venter to approve using the Song of Selma Park on March 20, 2008 at 7:00 p.m., and the steps of City Hall. **The motion carried with a unanimous (show of hands) vote of the Council members present. Councilwoman Crenshaw was absent from the Chambers when the vote was taken.**

MAYOR'S REPORT

A. **Achievement Proclamation – Chancee' Lundy.** Proclamation read by Mayor Perkins and presented to her family member, Ms. Sally Pearl Lundy.

B. **Length of Service Recognition Awards.** Mayor Perkins stated that he would like to present a Certificate of Service in recognition of the following employees: Kenta Fulford, Selma Police Department, *Five Years* of dedicated service to the City of Selma, and Mrs. Ivy Harrison, City Clerk's Office, *Ten Years* of dedicated service to the City of Selma.

C. **Memorandum-Revision of the Personnel Manual.** Mayor Perkins read the said memo from Ms. Val Jones, Personnel Director, to the Council, in its entirety. Memo attached.

D. **Update on Police Chief Search.** Mayor Perkins stated that candidates are due in the city on tomorrow for interviews, and the process will be complete on Wednesday.

E. **Memorandum-City Council Bond Questions and Meeting Agenda.** Mayor Perkins read as per memo dated January 28, 2008 addressed to the City Council. Memo attached.

F. **Resolution #R119-07/08-Employee Salary Increases.** Mayor Perkins read Resolution #119-07/08, in its entirety, and asked the Council favorable consideration of said resolution. Following discussion, a motion was made by Councilman Williamson and seconded by Councilman Cain to table this item at this time. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present. There were five affirmative votes and three nay votes. Councilman Randolph, Councilman Leashore and Councilwoman Venter each cast a nay vote. Councilwoman Crenshaw was absent from the Chambers when the vote was taken.**

CITY ATTORNEY'S REPORT

A. **Ordinance-Rezoning Property.** Attorney Nunn stated that per said ordinance, a classified R60 district, is hereby requested to be reclassified as B2, and asked that this ordinance be placed on first reading for a public hearing at the next council meeting. A motion was made by Councilman Williamson and seconded by Councilman Leashore to place the said ordinance on first reading. **The motion carried with a unanimous (show of hands) vote of the Council members present. Councilwoman Crenshaw was absent from the Chambers when the vote was taken.**

B. **Alcoholic Beverage License – Warren's Tavern – 1st Reading.** Attorney Nunn stated that the Council was given copies of an application for an alcoholic beverage license for a Lounge Retail Liquor Class I, Wanda Bush, located at 1122 Water Avenue, and asked that it be placed on first reading. A motion was made by Councilwoman Martin and seconded by Councilman Randolph to approve placing the said license on first reading. **The motion carried with a unanimous (show of hands) vote of the Council members present. Councilwoman Crenshaw was absent from the Chambers when the vote was taken.**

C. **Selma City School Board Appointments.** Councilman Leashore stated that he feels this is a duty that should be charged to the Administrative Committee for the Council to look at the "staggering" terms of those vacancies, "to be fair." Attorney Nunn stated that the terms end at different times and he did not want to give the terms, just wanted the Council to give him the names to fill in without knowing the terms. President Evans stated that he feels, to "try to be fair", the Council should "draw straws" to choose the terms for each person. Following discussions, names were drawn by the Administrative Committee Chairperson, Councilman Williamson, for terms as follows: **Sylvia Smith was appointed to the term 2004-2009, Jane Walker was appointed to the term 2006-2011, and Winston Williams was appointed to the term 2007-2012.**

CITY ATTORNEY'S REPORT

D. **Anthony Walker vs. City of Selma.** Attorney Nunn stated that he wants to inform the City Council that the Court of Civil Appeals has rendered a decision by Judge Meigs for Anthony Walker vs. the City of Selma, and it has been concluded.

E. **Resolution #R153-07/08 - Personnel Board Appointment.** A motion was made by Councilman Cain and seconded by Councilwoman Martin to re-appoint Candice Frazier to the Personnel Board for the City of Selma for a term of four (4) years retroactive to December 14, 2007, whose term shall expire on December 14, 2011. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present. Councilwoman Crenshaw was absent from the Chambers when the vote was taken.**

F. **Cable Franchise Agreement.** Attorney Nunn stated that per Council request, the Council has been given a copy of the franchise agreement for Charter Communications.

G. **Resolution #R154-07/08 Through #R165-07/08 - Condemn Property - Notice of Lien.** Attorney Nunn stated that all said resolutions read the same except the owners name and cost of demolition. A motion was made by Councilman Randolph and Councilman Cain and seconded by Councilman Randolph and Councilwoman Martin to collectively approve said resolutions #R154-07/08-#R165-07/08. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present. Councilwoman Crenshaw was absent from the Chambers when the vote was taken.**

H. **Selma City School Board Election.** Attorney Nunn stated that, as it relates to the Selma City School Board Election, he did have an opportunity to speak with Senator Hank Sanders, as well as State Representative Yusuf Salaam, and State Representative James Thomas, who stated that they are proceeding to place this issue before the legislature. Attorney Nunn stated that Senator Sanders stated he would keep the Council updated on this matter.

I. **Ordinance #O105-07/08 - Change of Salary for Selma City Council.** Attorney Nunn stated that per Council request, the Council has been given a copy of ordinance #O105-07/08, which is amending Section One, 2-23 of the City Code, which states that "The salary of the Council President of the City of Selma shall be and the same is hereby fixed at the sum of \$5,000.00", and amending Section Two, 2-24 of the City Code, which states that "Each Council person and the President Pro Tem shall be compensated at the sum of \$5,000.00 for expenses in connection with his or her duties as a member of the City Council," and Section Three, "This ordinance shall become effective on the first Monday of November 2008, and Section Four, "That Section Two of Ordinance No. 01-9596 adopted by the City Council on to wit: February 26, 1996 and Ordinance No. 01-2000 adopted by the City Council on to wit: February 17, 2000, be and the same is hereby rescinded and repealed as of the first Monday in November 2008." Councilman Cain stated that "this is not what we passed at the last Council meeting, we only passed just the Council salaries being reduced from \$15,000.00 to \$5,000.00, and not anything was mentioned about the President or President Pro Tem." Councilman Leashore stated to President Evans that, if he recalls, "I'm the one that made the motion," "my intent was to reduce the entire Council, President and Pro Tem to \$5,000.00." President Evans stated that "that is what he took it as." Following discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Martin to rescind the action taken at the last meeting to reduce the Council salary and leave the current salaries of the Council as is. **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. Councilman Cain and Councilman Williamson both cast a nay vote. Councilwoman Crenshaw was absent from the Chambers when the vote was taken.**

J. **Ordinance #O123-06/07 - Amending Ordinance #O102-04/05.** Attorney Nunn stated that, if the Council recalls, this is the ordinance dealing with the rules and procedures; the Council, citizens, and the President, "expected conduct" during a Council meeting. Following a brief discussion, a motion was made by Councilman Cain and seconded by Councilwoman Martin to approve the said amended ordinance to be placed on first reading. Attorney Nunn stated that a different number would be issued for the next meeting. **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. Councilman Randolph, Councilman Leashore and Councilwoman Venter each cast a nay vote. Councilwoman Crenshaw was absent from the Chambers when the vote was taken.**

K. **Donnie Roy's Night Club.** Attorney Nunn asked if the Council would like to discuss this issue. A motion was made by Councilwoman Venter and seconded by Councilman Leashore to table this item until the next meeting. **The motion carried with a unanimous (show of hands) vote of the Council members present. Councilwoman Crenshaw was absent from the Chambers when the vote was taken.**

BUSINESS ITEMS:

I. NOISE ORDINANCE

President Evans stated that this item has been taken care of, and the Council concurred.

II. UPDATE ON HOLLMAN'S CASE (ABI REPORT)

President Evans stated that this item has been discussed.

III. SICKLE CELL UTILIZATION OF OFFICE SPACE IN GOOD SAMARITAN BUILDING

Councilman Leashore stated that Mrs. Mills has received a response from the Sickle Cell Agency, and their response is that the requested space could not be minimized. Councilman Leashore stated that he would like to ask that President Evans empower the Administrative Committee to revisit this subject and bring back a recommendation. President Evans stated that it is so ordered that the Administrative Committee would do so.

IV. STOLEN MONEY FROM THE POLICE DEPARTMENT

Councilman Williamson asked if there is an investigation going on regarding this matter? President Evans stated that he spoke with Mayor Perkins and he indicated that he would speak to Councilman Williamson individually about it.

V. IMPLEMENTING POLICE ASSESSMENT RECOMMENDATIONS

Councilman Williamson stated that there were seventeen recommendations from the police assessment that the city paid \$48,000.00 for and asked if any are being implemented?

VI. UNPAID COURT COST AND FINES

Councilman Williamson asked if anyone has any idea how much the city has in unpaid court fines and costs? Councilman Williamson stated that "someone was hired to do garbage and is there anyone to do the courts?" President Evans stated that this item would be continued until he tries to obtain information from the Magistrates office.

VII. PROCESS FOR USING DISCRETIONARY FUNDS TO PROMOTE THE BOND ELECTION

Councilman Williamson stated that he wants to know this process before he obligates any money. President Evans asked Attorney Nunn if he would get this information to bring back to the Council. Attorney Nunn concurred. President Evans also asked Attorney Nunn to get information for the Council for the process of spending "Oil" and "Gas" money.

VIII. PERSONNEL MANUAL

A motion was made by Councilman Leashore and seconded by Councilman Randolph to honor Ms. Jones' request as per memo read by Mayor Perkins, until May 31, 2008. **The motion carried with a unanimous (show of hands) vote of the Council members present. Councilwoman Crenshaw was absent from the Chambers when the vote was taken.** Ms. Jones addressed the Council with comments regarding her memo.

IX. GOOD SAMARITAN LEASE

President Evans stated that this item would be continued.

X. DRUG TASK FORCE ALLOCATION

President Evans stated that the Council voted some months ago to give the Drug Task Force, he believes, "\$15,000.00", but something "the tape" reflected "\$10,000.00." President Evans stated that Ms. Mitchell, City Treasurer, has paid \$5,000.00 of this amount, and needs to get a clarification from the Council as to what the intent was, \$10,000.00 or \$15,000.00? President Evans stated the August 27, 2007 minutes would be reviewed for clarity and this item would be discussed at the next Council meeting.

XI. SELMA PRIDE COMMITTEE

President Evans stated that Mrs. Breeding sent the Council a letter indicating that her time has expired to serve as "Chair" and she thanked the Council for its cooperation. President Evans stated that he would like to ask the Council if, maybe at the next meeting, she be brought before the Council to award a plaque to her? A motion was made by Councilman Leashore and seconded by Councilwoman

BUSINESS ITEMS:

Venter to recognize Mrs. Breeding at the next Council meeting with a plaque for her dedication in serving as chairperson of this committee. President Evans stated that the Council must rename someone to take her place as well. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present. Councilwoman Crenshaw was absent from the Chambers when the vote was taken.

XII. SELMA WATER WORKS AND SEWER BOARD RESPONSE TO LETTER DATED JANUARY 15, 2008

Councilman Leashore stated to President Evans, that he would like for the Water Works Attorney's letter to him and the Council, to be made a matter of the records and he read this letter into the records in its entirety. Letters are attached.

XIV. UPCOMING CITY GOVERNMENT MEETINGS

No comments.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE – Councilman Cain, Chairperson

No Report.

ADMINISTRATIVE COMMITTEE – Councilman Dr. Cecil Williamson, Chairperson

No Report.

PUBLIC SAFETY COMMITTEE – Councilwoman Dr. Geraldine Allen, Chairperson

No Report.

COMMUNITY DEVELOPMENT COMMITTEE – Councilwoman Bennie Ruth Crenshaw, Chairperson

Councilwoman Martin stated that on February 6th, 7th, and 8th, the Youth Ambassadors and Youth in Government will serve a guides on the walking tour.

PUBLIC WORKS COMMITTEE – Councilwoman Venter, Chairperson

No Report. Councilwoman Allen stated that she has a letter to give to Public Works from a constituent in her ward as it relates to Public Works. She stated she would give it to Councilwoman Venter to discuss in their next committee meeting.

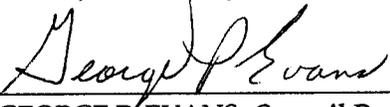
DISCRETIONARY FUNDS COMMITTEE – President Evans, Chairperson

President Evans stated \$1,250.00 has been collected from Council discretionary.

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 10:24 p.m.



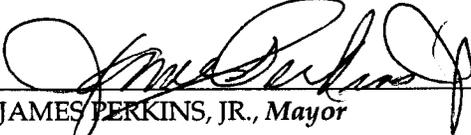
GEORGE P. EVANS, *Council President*

ATTEST:



LOIS WILLIAMS, *City Clerk*

APPROVED:



JAMES PERKINS, JR., *Mayor*