

**MINUTES OF THE  
SELMA CITY COUNCIL  
JUNE 13, 2005  
5:00 P.M.**

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, June 13, 2005 at 5:00 p.m. with the following members present: Council President George Evans and Council members Cecil Williamson, Reid Cain, Jean T. Martin, Geraldine Allen, Johnnie M. Leashore and Bennie R. Crenshaw. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, City Treasurer Cynthia Mitchell, City Attorney Jimmy Nunn and the Mayor's Administrative Assistant Sherri James. Council members Samuel L. Randolph and Jannie M. Venter were absent during roll call, they both arrived shortly following roll call. Reverend Steven E. Tullis gave the invocation.

After roll call, President Evans declared a quorum present and the meeting was opened for the transaction of business as set forth on the agenda. A motion was made by Councilwoman Martin and seconded by Councilman Leashore to approve the agenda as written. The motion carried with a unanimous vote (show of hands) of the Council members present.

After approval of the agenda, President Evans asked for a motion to approve the minutes of May 16, 2005 regular meeting. A motion was made by Councilman Leashore and seconded by Councilwoman Martin to approve the adoption of the said minutes as written. The motion carried with a unanimous vote (show of hands) of the Council.

**I. MAYOR'S REPORT**

A. Resolution #R164-04/05 - T-Shirt and Cap Rights. Mayor Perkins stated the Council has been given a copy of resolution #R164-04/05 which acknowledges that the City has sold exclusive rights to sell T-Shirts and Caps for the Dixie Boys Sub-District and District Tournaments for the City of Selma. Those rights were sold to F & E Sportswear for a bid of \$1,000.00. A motion was made by Councilwoman Martin and seconded by Councilman Leashore to approve the said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

B. Resolution #R165-04/05 - Tournament Pictures for 2005 Rights. Mayor Perkins stated the Council has been given a copy of resolution #R164-04/05 which acknowledges that the City has sold exclusive rights to sell Pictures for 2005 for the Dixie Boys Sub-District and District Tournaments for the City of Selma. Those rights were sold to Photography by David for a bid of \$750.00. A motion was made by Councilman Leashore 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.

C. Summer Youth Employment Program. Mayor Perkins stated he would like to ask Mrs. Bridget Mills, Government Constituent, to come forward to address the Council specific to the issue of Summer Youth Employment. Mrs. Mills addressed the Council stating applications were taken on today for positions that will be offered to Selma's city youth. Mrs. Mills stated she would like to thank each Council member who either helped support this program by contacting other businesses or made pledges. Mrs. Mills stated the total number of jobs pledged at this time is twenty-three (23), out of twenty-three (23), twelve (12) employers will be hiring those youth, and the other eleven (11) will be placed at other worksites, and there were over 127 applicants. Mrs. Mills further stated JTPA has agreed to coordinate a professional fields workshop for the youth on Friday, June 17, 2005.

D. Good Samaritan Report. Mayor Perkins stated he would like to ask Mrs. Bridget Mills, Government Constituent, to come forward again to address the Council with a report on the Good Samaritan Center Project. Mrs. Mills addressed the Council stating several different phases of the Good Samaritan project are in progress and diligent work is being finalized regarding the sublease agreement. Mrs. Mills stated meetings have been conducted with some tenants concerning the items that will be included in the agreement. Mrs. Mills further stated marketing literature is being developed for this project and additional tenants have been identified, both she and Mayor Perkins will be meeting with these potential tenants to invite them to become a part of this project.

E. Charter Communications. Mayor Perkins stated there have been two meetings scheduled with Charter Communications and in both instances, they have cancelled. Mayor Perkins stated a third meeting has been rescheduled with Charter Communications on

I. MAYOR'S REPORT

Wednesday, June 22, 2005 in his office. Mayor Perkins stated he would update the Council following this meeting.

F. Crescent Hill Drive and Fourth Avenue Repairs Update. Mayor Perkins stated he would like to ask Mr. David Painter, City Engineer, to come forward to address the Council on this item. Mr. Painter addressed the Council stating a pre-bid meeting will be held on tomorrow, June 14, 2005 with five bidders on the list for the Crescent Hill Drive project. Mr. Painter stated this bid should be well within the budget and the bid opening will be held on next Tuesday, June 21, 2005 at 10:00 a.m. Mr. Painter stated it would take about ten (10) to fourteen (14) days to award the contract and work should be started early in July and completed by mid August, as reported previously. Mr. Painter further stated the Fourth Avenue project has been completed, meaning the base will set for about a month and will then be paved.

G. Federal Emergency Management Association (FEMA) Update. Mayor Perkins stated he would also like to ask Mr. Painter to address the Council with an update on FEMA. Mr. Painter addressed the Council stating his last report was on March 28, 2005, and since then there have not been any changes. Mr. Painter stated there has not been a good response from the insurance company, they have complete project worksheets on every building that was damaged for over three (3) months and there has been no written response whether they are in agreement with the estimates done by FEMA or his office. Mr. Painter further stated a meeting will be held with the representative of the insurance company on Thursday, June 16, 2005 to try to come up with an agreement on the amount of reimbursement, which he still feels will be a range of \$600,000.00 to \$900,000.00. Some money has been received basically for storm debris removal, however, FEMA cannot reimburse for hurricane damage until the insurance company has settled with the city.

H. Animal Shelter Completion. Mayor Perkins stated while Mr. Painter is addressing the Council, he would like to report that the City is very close to scheduling an open house for the Animal Shelter, maybe in the next couple of weeks. Mayor Perkins stated he asks the Council to look forward to the announcement.

I. Contract - Khafra Engineering. Mayor Perkins stated there is an engineering contract for Khafra Engineering for this fiscal year. Mayor Perkins stated he would like to ask the Council to visit the City Clerk's Office to review the contract over the next two weeks, and at the next Council meeting he will be asking the Council to vote affirmatively on this contract for Khafra as the engineer for the City of Selma.

J. Selma Water and Sewer Board Recognition. Mayor Perkins stated he would like to ask Councilman Leashore to step out of his role as Councilman for a moment and into his role as Vice-Chairman of the Water and Sewer Board. Mayor Perkins stated during the major event that occurred involving the breakage of the water main, there were several men working on the system at that time, and he would like to take this opportunity to acknowledge them for working around the clock to repair this line and get the water system back in operation. Mayor Perkins presented Certificates of Appreciation to Mathew Leashore, Richard Sturdivant, Bruce Longcrier, Marvin Maul, Theo Molts, Maurice Sellers, Arthur Richardson, Ryan Duncan, Jack Chandler, Robert Bridges (Supervisor) and Derrick Davis.

K. Monthly Crime Reports - Chief of Police. Mayor Perkins stated he would like to ask Chief Jimmy Martin to come forward to address the Council with the monthly crime report. Chief Martin addressed the Council as per reports distributed for the month of May.

L. Monthly Financial Reports. Mayor Perkins stated he would like to present the Council with the monthly financial reports. Mayor Perkins stated the Council receives this report monthly and presently the City is about \$2,000,000.00 in revenue above expenses for this fiscal year. Mayor Perkins stated if the Council has any questions regarding these reports, he would be glad to discuss the details.

M. Good Samaritan Projection Of Cost. President Evans stated to Mayor Perkins that he needs his help on the matter regarding the projection of cost for the Good Samaritan project. President Evans asked Mayor Perkins to address if this particular project going to cost the taxpayers, the City, any money and if so, how does the City recoup this money. Mayor Perkins stated as the project progresses, he would provide the Council with information as he receives it.

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Mayor Perkins stated he would be very disappointed if the Council chooses not to spend one dime for the health and well being of the citizens, when it just spent \$500,000.00 for a quality animal shelter. Mayor Perkins stated he cannot make a representation about actual cost in a perform position at this time, and he stated he does not know what the ultimate numbers will be because the City has not been faced with this decision before. However, Mayor Perkins stated this project is very similar to the project on the St. James Hotel. Mayor Perkins further stated the City of Selma has only two 108 loans issued by HUD; one is the St. James Hotel and the other is the Good Samaritan Center, and they are both in transition. One is for tourism and entertainment and the other is for the health and wellness of the people in our community. Mayor Perkins stated he wishes he could say that the St. James Hotel project would not cost the City anything, but he cannot make that representation, however, he has done everything in his power to make sure that it doesn't and he will continue to do so. Mayor Perkins stated as information becomes available he will make certain the Council is fully inform and advised, and most certainly the Council is aware that he cannot write checks without authorization from the Council, or enter any contracts without authorization of the Council. President Evans stated he supported the concept for the right reasons and he is concerned because there are a lot of questions that he cannot answer, although he is also concerned about the project being successful. President Evans stated as issues or questions come up, he would like to be able to have answers so that he can be supportive of what is being done and not blindsided. President Evans further stated he would like to encourage all Council members as well as the Mayor to keep everyone informed as we move forward with this project.

Following further discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to table this item for six months and after that time have Mayor Perkins and other parties give an update when some real answers can be given. A roll call motion was taken and the motion failed for lack of a majority vote of the Council.

II. CITY ATTORNEY'S REPORT

A. Rezoning Hearing - Ordinance #O111-04/05. Attorney Nunn stated during the last Council meeting the Council was made aware of a rezoning petition. Attorney Nunn stated the Council has been given copies of minutes as it relates to the May 2005 meeting of the Planning Commission in which they recommend the Council approval to rezone property located on Highland Avenue, from R60 to B2. Attorney Nunn stated he asked the Council to hold a public hearing on this matter and the Council agreed to have it during this meeting. Attorney Nunn stated Attorney Alston Keith is present on behalf of the petitioners to rezone for passage of the same by the Council. Notice of the hearing to rezone was ran in the local newspaper per state law. During the hearing, the public was allowed to ask questions or make comments concerning this rezoning. Following the hearing, a motion was made by Councilman Leashore and seconded by Councilman Randolph to suspend the rule to vote on the said ordinance. A roll call vote was taken and the motion passed with a unanimous vote of the Council. A motion was made by Councilman Randolph and seconded by Councilwoman Martin to approve the said ordinance. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

B. Memorandum of Agreement - Decisions, Inc. Attorney Nunn asked Ms. Valeria Jones, Personnel Director to address the Council on this item. Ms. Jones stated a two-year eligible roster must be maintained for the Personnel Board for the fire captain roster, which has been exhausted, and it is now time to administer another exam. Ms. Jones stated under normal circumstance Decisions, Inc. would charge around \$16,000.00 for this service, however, in this instance, they are only charging the City \$12,500.00 plus an additional expense charge of up to, and not to exceed, \$1,000.00. A motion was made by Councilwoman Martin and seconded by Councilman Randolph to approve the agreement for the fire captain exam. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

C. Understanding the New Open Meeting Law. Attorney Nunn stated the Council has been given copies of the new open meeting law, Alabama Act no. 2005-40, which is effective as of October 1, 2005. Attorney Nunn asked the Council to read said information and if any Council member has questions concerning this matter, please call him to discuss further details.

**II. CITY ATTORNEY'S REPORT**

**D. Livestock Within City.** Attorney Nunn stated this ordinance is still being researched and is in progress to be revised and he will present the revised ordinance to the Council at a later date.

**E. Curfew Ordinance.** Councilman Cain requested to move forward with a draft curfew ordinance for nighttime. Councilman Cain stated Chief Jimmy Martin has given a report on curfew dated April 19, 2005 and recommendations have been given to City Attorney Jimmy Nunn also based on other city ordinances.

**F. St. James Hotel Update.** Attorney Nunn stated Mr. Larry Striplin and Mr. Charles Bonner are present tonight to address the Council regarding the proposal to develop the St. James Hotel. Attorney Nunn stated discussions have been given by Mr. Bonner and Mr. Striplin during the last Council work session as well as an on site tour on May 12<sup>th</sup> and May 13<sup>th</sup>, 2005. Attorney Nunn stated the Council requested a recommendation on the assignment from the City Attorney on May 16, 2005. Attorney Nunn stated he would like to refer to the letter of recommendation he submitted to Mayor Perkins and the Council, per their request. There were several issues brought to the attention of the Council as it relates to defects and renovations of the hotel per Charles Bonner's inspection and Attorney Nunn emphasized that Mr. Bonner is requesting the City to assist with the cost of repairing the same. Attorney Nunn stated the items requested from Mr. Bonner were received on Tuesday, June 7, 2005 and it was immediately sent to the Council.

Following further discussion of Attorney Nunn's recommendation and the agreement assignment, Mr. Bonner presented a PowerPoint presentation of the plans for the development of the St. James to the Council. After the presentation and more discussion regarding concerns on repairs, Mr. Striplin stated he agrees to take care of the repairs specified. Mr. Striplin further stated he did not want to "hear anything else regarding this matter" after the repairs are made. Mr. Striplin then stated he would return to the Council for an assignment approval from the Council after the execution of repairs.

**BUSINESS ITEMS:**

**III. CODE ENFORCEMENT**

Councilman Cain stated the beautification committee would like a report from the Code Enforcement Officer on some of the buildings in the areas and look at how he can assist in identifying areas in need of repair or enforcement by the Code Enforcement office. President Evans stated Council members send requests through the Mayor's office pertaining to enforcement issues in their wards and he would encourage Councilman Cain to do so as well for his ward.

**IV. FY 2004-2005 BUDGET**

Councilman Cain stated he met with Mayor Perkins on May 17, 2005 and a couple of his questions have been addressed. Councilman Cain stated the number one question was concerning the budget year-end surplus; and the answer appears the City will be looking forward to a surplus budget favorable for fiscal year 2005. Councilman Cain stated this is good news and he hopes this projection will continue. Councilman Cain stated the number two question was concerning the re-engineering strategies of the garbage collection, public works and inert landfill restructures, which basically states that the City would be looking a \$500,000.00 savings and the new garbage collection process will be another \$500,000.00 savings, totaling \$1,000,000.00. However, stated Councilman Cain, only one half year is considered as far as projection is concerned, which is cumulatively only \$500,000.00 of savings; \$250,000.00 in the consolidations of public works, general services and landfill areas. Councilman Cain further stated some corrections in the budget would need to be made by the Council concerning the re-engineering of Code Enforcement and Historic Monitor positions, looking at the projected \$17,000.00 savings compared to 2004, there is a \$170.00 increase instead of a savings. Councilman Cain stated the same projection scenario could be reviewed with the re-engineering of the garbage collection and public works areas as well as the finance and tax and license areas; instead of savings in these areas there were increases compared to the 2004 budget and corrections on the budget would need to be reviewed.

Following discussion, President Evans asked Councilman Cain if he would outline the information given for the Council. Mayor Perkins stated Councilman Cain arrived at this conclusion as a consequence of the meeting and following the meeting it was agreed that if

**BUSINESS ITEMS:**

Councilman Cain had any concerns, he would come back and discuss with him. Mayor Perkins stated he agreed to the same by making appropriate staff available to answer his concerns. President Evans stated he concurred with Mayor Perkins that this was the agreement of the meeting and based on what was agreed upon, Councilman Cain's statements were done incorrectly and are improper at this time.

**CITIZENS' REPORT**

Dr. Park Chittom  
Re: Sweep Selma Clean Campaign

Mrs. Nancy Sewell (Given by Councilwoman Martin in her absence)  
Re: RIF (Reading Is Fundamental)

**STANDING COMMITTEE REPORTS**

**RECREATION COMMITTEE**

Councilman Randolph stated many coaches have contacted him with complaints that there is no appeals process once a coach is thrown from a game. Councilman Randolph stated he would like to ask the Mayor to look at the appeals process for this situation.

**ADMINISTRATIVE COMMITTEE**

Councilwoman Allen stated the Council and School Board members meet today at 3:30 p.m. and agreed at the conclusion of this meeting, as it relates to the consent decree, that the City Attorney Jimmy Nunn and the School Board attorney would meet and return with a possible recommendation for the board to the best interests of both parties legally.

**PUBLIC SAFETY COMMITTEE**

Councilman Cain stated the Public Safety committee met on Thursday, June 9, 2005 and discussed curfew ordinance that has already been reported and Code Enforcement.

**COMMUNITY DEVELOPMENT COMMITTEE**

Councilwoman Martin stated she would like to remind the Council of the Burger King Grand Opening on June 17, 2005.

**PUBLIC WORKS/GENERAL SERVICES COMMITTEE**

There is no report for the Public Works/General Services Committee.

**DISCRETIONARY FUNDS COMMITTEE**

There is no report for the Discretionary Funds Committee.

**ADJOURNMENT**

There being no further business to come before the Council, on motion made by Councilman Williamson and seconded by Councilwoman Martin, the Council voted by unanimous consent to adjourn this meeting at 8:24 p.m.

  
George P. Evans, *President*

**ATTEST:**

  
Lois Williams, *City Clerk*

**APPROVED:**

  
James Perkins, Jr., *Mayor*