

**MINUTES OF THE SELMA CITY COUNCIL
OCTOBER 8, 2007
5:00 P.M.**

Call to Order

Invocation: Reverend Jim Park, Pastor
Fairview Baptist Church

Moment of Silence
Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, October 8, 2007 at 5:00 p.m.

ROLL CALL

The following members were present during roll call: Council President George Evans and Council members Reid Cain, Jean T. Martin, 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. Councilman Williamson was absent from the meeting due to illness. Councilman Leashore was absent from the meeting due to being out of town. Councilwoman Geraldine Allen was absent during roll call but arrived later at 5:10 p.m.

APPROVAL OF AGENDA

President Evans asked for the approval of the agenda items. A motion was made by Councilwoman Venter, and seconded by Councilman Randolph, to approve the agenda as written. **The motion passed with a unanimous (show of hands) vote of the Council members present.**

APPROVAL OF MINUTES

After approval of the agenda, President Evans asked for a motion to approve the minutes of the September 24, 2007 meeting. A motion was made by Councilman Randolph, and seconded by Councilwoman Martin, to approve the minutes of September 24, 2007. **The motion passed with a unanimous (show of hands) vote of the Council members present.**

CITIZENS' REQUESTS

Ms. Linda Cook, Mr. Willard Kelton and Ms. Helen Kelton
Re: Dallas County Foster and Adoptive Parent Association

Ms. Marion Fraizer
Re: Safe Sex and Family Education

Reverend Coley Chestnut
Re: Red Ribbon Week

Mr. Adney Taylor
Re: Health Concerns

Mr. Garfield Clark
Re: Future Education Center

MAYOR'S REPORT

A. Resolution #R101-07/08 – Mainstreet Application. Mayor Perkins asked Ms. Charlotte Griffeth to address the Council as it relates to Resolution #R101-07/08, and subsequent resolutions. Ms. Griffeth read Resolution #R101-07/08 in its entirety, which represents the City of Selma authorizing the filing of said Mainstreet Application, with the City of Selma pledging to provide 10% cash match in the amount of \$10,000.00 in the FY 07-08 budget via line item Grant Matching Funds and obligating \$6,120.00 worth of in-kind services to the Downtown Selma Association Mainstreet Program. Ms. Griffeth asks Council favorable consideration. A motion was made by Councilwoman Martin, and seconded by Councilwoman Crenshaw, to approve said resolution in the amount of \$10,000.00. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

B. Resolution #R102-07/08 – LETS Grant. Ms. Charlotte Griffeth read Resolution #R102-07/08 in its entirety, which represents the City of Selma authorizing the filing of a grant application, as well as, the City of Selma's pledge to provide 10% cash match in the amount of \$2,500.00 in the FY 07-08 budget via line item Grant Matching Funds, towards the total cost and maximum grant amount of \$25,000.00 for this

MAYOR'S REPORT

project, which offers financial aid to combat crime, and assist in problems relative to crime. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to approve said resolution in the amount of \$2,500.00. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

C. Resolution #R104-07/08 – Riverfront Design. Ms. Charlotte Griffeth read resolution #R104-07/08, in its entirety, as it relates to authorizing the Office of Planning and Development to contract with Gresham, Smith and Partners from the ALDOT On-Call List to provide preliminary engineering for the Riverfront Project, and by increasing the Revenue Line Item ALDOT Grant Funds Received (1.4000 4002-19) for preliminary engineering for the Riverfront Project (1.6000 6800-12) to be reimbursed by ALDOT, and asks Council favorable consideration. A motion was made by Councilwoman Martin, and seconded by Councilwoman Allen, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

D. Resolution #R105-07/08 – Alabama Department of Mental Health/Mental Retardation Contract. Ms. Charlotte Griffeth read resolution #R105-07/08 in its entirety, as it relates to the Selma Dallas Prevention Collaborative desiring the City to continue to serve as its fiscal agent for the fiscal year 2007-2008, and that the City of Selma will receive an additional 10% of expended funds for the fiscal year of 2007-2008 for administration of this grant. A motion was made by Councilwoman Martin, and seconded by Councilman Randolph, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

E. Resolution #R106-07/08 – Selma Welcome & Interpretive Center. Ms. Charlotte Griffeth read resolution #R106-07/08 in its entirety, as it relates to the City of Selma requesting permission to contract with McKee and Associates from the ALDOT On-Call List for the development of design and bidding specifications for the stabilization of the Selma Welcome and Interpretive Center, and authorizing the amendment of the budget by increasing the Revenue Line Item ALDOT Grant Funds Received (1.4000 4002-19) by \$40,000.00 for the development of design and bidding specifications for the stabilization of the Selma Welcome and Interpretive Center (1.6000 6800-12) to be reimbursed by ALDOT. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to approve resolution #R106-07/08, to complete this project for the Selma Welcome & Interpretive Center. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

F. Resolution #R107-07/08 – Riverfront Property - Acquisition. Ms. Charlotte Griffeth read Resolution #R107-07/08 in its entirety, which authorizes the amendment of the budget by increasing the Revenue Line Item ALDOT Grant Funds Receive (1.4000 4002-19) by \$297,534.00 for funding to complete the Riverfront Acquisition Project (1.6000 6800-12) to be reimbursed by ALDOT, and asks Council favorable consideration of said resolution. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to approve said Resolution #R107-07/08, in the amount of \$297,534.00, to complete the Riverfront Acquisition Project. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

G. Financial Reports. Per Mayor Perkins, Ms. Cynthia Mitchell provided the Council with copies of the preliminary Year-End Financial Reports.

H. Ward Incident Report. Mayor Perkins stated to Council that they should have copies of the Ward Incident Report, which was provided by Chief Martin.

I. Police Chief - Search. Mayor Perkins stated as it relates to the Police Chief Search, Slavin has indicated that there have been good candidates to apply, and that they are moving forward quickly in this process.

J. Dr. Ioimo - Update. Mayor Perkins stated that Dr. Ioimo indicated that his report is coming along nicely, and that a draft is expected within the next couple of weeks.

K. National Long-Term Care Residents' Right's Week – October 7-13, 2007. Mayor Perkins stated to Council that they should have a copy of the National Long-Term Care Residents' Right's Week Resolution in their packet, and he asks Council favorable consideration as it relates to support of the National Long-Term Care Residents' Right's Week on October 7-13, 2007. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to approve and adopt said Resolution and Proclamation. **The motion passed with a unanimous (show of hands) vote of the Council members present.**

L. Camera Surveillance System. Mayor Perkins announced there will be a Camera Surveillance System Mobile Unit here in front of City Hall, on October 22nd, at 3:30 p.m. Mayor Perkins encourages everyone to come and have an opportunity to come and see how that technology works.

MAYOR'S REPORT

M. **Hollman's Case – Update.** Mayor Perkins stated that he was informed on Friday that the report from the State of Alabama on the Hollman case has been returned to the Police Department and the District Attorney. Mayor Perkins further stated that it is his understanding that the District Attorney has forwarded his copy of the report to the Attorney General's office, and that it is also his understanding, that that is the standard process, and that the Attorney General will decide the next step in this process.

CITY ATTORNEY'S REPORT

A. **Noise Ordinance – #O121-06/07.** Attorney Nunn stated to Council that he has passed out an amendment to the Noise Ordinance during the last Council meeting, revising Ordinance #21-01/02, and put it on 1st Reading. Attorney Nunn further stated if Council recalls, the first offense is \$200.00 presently, but the Ordinance was amended to \$250.00 for the first offense; church tent revivals would have to receive a permit from the Chief of Police, and then the third change is that the Chief of Police shall review and research all permit requests, and at his/her discretion, have the authority to grant or deny the permit. Attorney Nunn asks Council discretion on the amended noise ordinance. A motion was made by Councilwoman Allen, and seconded by Councilwoman Martin, to approve the amended noise ordinance in the form of #O121-06/07. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

B. **St. James Hotel - Update.** Attorney Nunn asked Ms. Charlotte Griffeth and Mr. Ezell, General Manager for the St. James Hotel, to come forward and address the Council, with a report and update, as it relates to the St. James Hotel. Ms. Griffeth and Mr. Ezell addressed the Council accordingly.

C. **Gourmet Services Management Group, LLC, (St. James Hotel) 1200 Water Avenue – Liquor License Application.** Attorney Nunn stated the Council should have before them a liquor license application for Gourmet Services Management Group, LLC [St. James Hotel], to be placed on 1st Reading at tonight's Council meeting. Attorney Nunn also stated in the procedures in which the Council has adopted it does state that the Council has the authority to place a liquor license on 1st reading unless the Council suspends the rules by a majority vote, to be considered and voted upon at this meeting, to suspend the rules. During discussion, the Council decided to suspend the rules to take action at tonight's Council meeting, as it relates to the Gourmet Services Management Group, LLC liquor license application. A motion was made by Councilwoman Martin, and seconded by Councilman Cain, to suspend the rules, pending the items listed in the report be completed, as a means of this liquor license application being approved tonight. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.** A motion was then made by Councilman Cain, and seconded by Councilwoman Crenshaw, to approve the liquor license application for Gourmet Services Management Group, LLC, pending the items listed in the report be completed. **A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were six ayes and one abstention. Councilwoman Venter abstained from voting.**

D. **Maynard, Cooper & Gale, P.C. – Engagement Letter.** Attorney Nunn stated to Council if they recall this item was discussed during the Mayor's Report during the discussion of the selection of a bond attorney, the Council took a vote authorizing Mayor Perkins to proceed with contacting the Firm of Maynard, Cooper & Gale, along with Ms. Terri Sewell, for the bond project. Attorney Nunn further stated they have an engagement letter before the Council, and asks Council approval of the Engagement Letter, which was reduced to writing from the vote that was taken at the last Council meeting, which gives them authorization to proceed. During discussion, a motion was made by Councilwoman Martin, and seconded by Councilwoman Crenshaw, to authorize the firm of Maynard, Cooper & Gale, along with Ms. Terri Sewell, to proceed with the Bond Project. **A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were six ayes and one abstention. Councilman Cain abstained from voting.**

E. **Investment Banking Agreement.** Attorney Nunn stated to Council if they recall Mr. Robert Thomas came before the Council on behalf of Sterne, Agee & Leach, Incorporated, Investment Banker, during the public hearing, as it relates to the City of Selma's borrowing capacity at this point and time. Attorney Nunn further stated this Agreement represents the City of Selma's interest in entering into an agreement with this firm in conjunction with the issuance of the bond, and asks Council favorable consideration. Following discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Randolph, to approve the Investment Banking Agreement with Sterne, Agee & Leach, Incorporated, pending all items being approved before any cost incurred will come to the City, particularly Items 6 and 9 of the Agreement. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

F. **Liquor License Application – Paradise Night Club (Atkin Jemison) [1211 Alabama Avenue].** Attorney Nunn stated to Council that they should have before them a liquor license application which was placed on 1st Reading at the last Council meeting, and asks Council's consideration for approval. A motion was made by Councilman Randolph, and seconded by Councilwoman Crenshaw, to approve said liquor license. **A roll call vote was taken and the motion passed with a majority vote of the Council**

CITY ATTORNEY'S REPORT

members present. There were five ayes, one nay vote, and one abstention. Councilman Cain cast a nay vote. Councilwoman Venter abstained from voting.

G. Board of Equalization – R#108-07/08. Attorney Nunn stated to Council during the July 9th Council meeting, the Council nominated three (3) individuals to the Board of Equalization: Mr. Gary Morgan, Mr. Leonard Ingram, and Mr. Jimmie Coleman. Attorney Nunn further stated it was brought to his attention that a resolution needed to be prepared to that effect, in order to forward to the State of Alabama, stating the term of four (4) year appointments, commencing on October 1st. Attorney Nunn stated he has prepared the resolution to that effect in the form of R#108-07/08, and asks Council consideration for approval. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Venter, to approve the appointments of three (3) citizens to the Equalization Board, which was voted on already. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

H. Livestock Ordinance. Attorney Nunn stated he has revised the Livestock Ordinance, and will be prepared to present it to the Council during the next Council meeting, for consideration to be placed on 1st Reading.

I. Contracts for Services. Attorney Nunn stated the Council approved the Budget during the last Council meeting, and he needs approval from the Council to proceed forward in preparing the Contracts for the Agencies, and for the Mayor to execute the same. Attorney Nunn further stated those agencies are as follow: Sabrah Sanctuary, Broad Street Nutrition Center, Perry Varner Boot Camp, Y.M.C.A., City Program, Health Department, Cahaba Mental Health/Retardation Center, Dallas-Selma Community Action Agency, Emergency Management, Selma Youth Development Center, and the Centre of Commerce. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Martin, to approve the contracts for the Agencies. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

J. Indecent Exposure (Baggy Pants). Attorney Nunn stated he has spoken with Councilwoman Venter as a it relates to this issue, but has not had a chance to research to do any research, but will research it, and bring a report back to the Council.

BUSINESS ITEMS:

I. WILSONPRICE INVOICE - BREAKDOWN

President Evans stated to Council that they should have received a breakdown on the WilsonPrice Invoice. President Evans asked Council's discretion as it relates to this item. A motion was made by Councilwoman Martin, and seconded by Councilman Cain, to approve payment of the WilsonPrice Invoice in the amount of \$9,850.00. During discussion, Councilwoman Crenshaw stated to President Evans, the requests were made by Councilman Cain and Councilman Williamson, and it violates Section 7, she thinks, of their Rules and Procedures, whereas one or two Council members cannot act by themselves alone and things must be done as a Council. Councilwoman Crenshaw further stated, as a matter of record, that no matter how the vote goes, she will not vote for this, and this will send a message to all of us that we can't go out making bills with the Council without all of us approving the financial part, and I'm thinking that we as a Council do have to vote to disburse of money, and I just want my thoughts to go as a matter of record on this. President Evans stated to Council in situations like this, that they have become educated, and there possibly ought to be something in place as a Council in the future if anyone should go out and incur an expense what the consequences will be. President Evans further stated to Councilwoman Crenshaw, that they have nothing in writing specifically to this, even though this is a concern, and he thinks in the future they need to put an ordinance in place or a resolution, which stipulates if any Council person goes out and incurs an expense, what the consequences will be. **A roll call vote was taken and the motion passed with a majority vote of the Council members present, with the understanding that the source to pay it from to be determined by City Treasurer Cynthia Mitchell. There were four ayes, one nay vote, and two abstentions. Councilwoman Crenshaw cast a nay vote. Councilman Randolph and Councilwoman Venter abstained from voting.**

II. STOLEN MILLION DOLLARS - UPDATE

President Evans asked Councilwoman Crenshaw to address this issue. Councilwoman Crenshaw asked that Attorney Nunn continue his research, and bring back an update to the Council, hopefully during the next Council meeting.

III. NOISE ORDINANCE

President Evans stated a report was given to them during the Mayor's Report, and according to it, there were 17 loud noise citations issued, which report was broken down by Wards. President Evans and Council thanked the Selma Police Officers who are trying to enforce the noise ordinance, which the Council has asked to be implemented.

BUSINESS ITEMS:

IV. BUDGET LINE ITEMS

President Evans asked if there were any questions from anyone related to budget line items from the Budget that was approved at last Council meeting, and there were no questions asked.

V. ELECTED SCHOOL BOARD VS. APPOINTED SCHOOL BOARD

President Evans stated the reports are still coming in, and that they have not gotten all of the reports back from the schools yet, and hopefully at the next Council meeting they can give a breakdown of how the Citizens feel about an Elected or an Appointed School Board vote from the parents.

VI. DR. IOIMO'S REPORT

President Evans stated Mayor Perkins has indicated Dr. Ioimo's Report will be coming hopefully by the next Council meeting.

VII. NOVEMBER 12TH COUNCIL MEETING

President Evans stated the reason this item is on the agenda early is that on November 12th is the time that they will be going to the National League of Cities Convention, and he would like for the Council members to be thinking about what date will be their next meeting in November, to make a decision at the next Council meeting.

VIII. PAYMENT OF SELMA PUBLIC LIBRARY UTILITIES

President Evans stated Ms. Cynthia Mitchell has provided the Council with the cost amount, and the amount to be transferred from that fund to be paid. A motion was made by Councilman Cain, and seconded by Councilwoman Venter, to approve the payment of the Selma Public Library utilities, with the source to be determined by City Treasurer Cynthia Mitchell, along with the line item change. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

IX. HALLOWEEN OBSERVANCE

President Evans stated Halloween is on Wednesday, October 31st, and the Council in the past has always set a date and sort of a time line in terms of the hours. A motion was made by Councilwoman Martin, and seconded by Councilman Randolph, to set the date and time for Halloween to be observed on Wednesday, October 31st, from 6:00 p.m. until 8:00 p.m. **The motion passed with a unanimous (show of hands) vote of the Council members present.**

X. UPCOMING CITY GOVERNMENT MEETINGS, COMMITTEE MEETINGS AND CONFERENCES

President Evans stated Councilwoman Venter is having a Ward meeting on next Monday night, October 15th. Councilwoman Martin stated tomorrow morning, at 7:30, the Youth Leadership is making their annual visit to the Old Depot Museum, to talk about their plans for this year. President Evans stated the Youth will also be meeting here in the Council Chambers for "City Government Day" on tomorrow. President Evans also stated Selma Pride Committee Meeting will be tomorrow morning at 10:00, at the Library. Councilwoman Martin stated Wednesday, October 10th at 5:30 p.m., is the Alabama Tombigbee Annual Regional Meeting at the Convention Center, and asked Council members to inform Ms. Diana Johnson so that she make reservations for those who plan to attend.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE – Councilman Leashore, 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

No Report.

PUBLIC WORKS COMMITTEE – Councilwoman Venter, Chairperson

No Report.

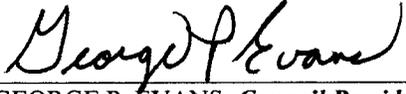
DISCRETIONARY FUNDS COMMITTEE – President Evans, Chairperson

President Evans reported that the Council has collected a total of \$2,000.00.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

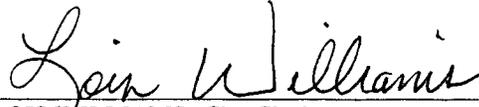
ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilman Randolph, and seconded by Councilwoman Martin, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 7:48 p.m.



GEORGE P. EVANS, *Council President*

ATTEST:



LOIS WILLIAMS, *City Clerk*

APPROVED:



JAMES PERKINS, JR., *Mayor*