

## MINUTES OF THE SELMA CITY COUNCIL MEETING HELD ON MONDAY, JUNE 28, 2004

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, June 28, 2004 at 5:00 p.m. with the following members present: Council President George Evans and Council members Glenn Sexton, Rita S. Franklin, Jean T. Martin, Nancy G. Sewell, Samuel Randolph and James Durry. Others present were City Clerk Lois Williams, City Treasurer Cynthia Mitchell, and Mayor's Administrative Assistant Sherri James. Council member Bennie R. Crenshaw was absent from the meeting. Reverend Lee Goodwin 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. President Evans asked if there were any additions or corrections to the agenda prepared for this meeting. Councilwoman Franklin stated she would like to add second opinion on audit, political signs on right of way, ordinance-credit union and water change for flowers to the agenda. Councilwoman Sewell stated she would like to add grass cutting to the agenda. A motion was made by Councilwoman Sewell and seconded by Councilwoman Franklin to approve the agenda as amended. The motion carried with a unanimous vote of the Council members present.

President Evans asked if there were any additions or corrections to the minutes of the regular meeting held on Monday, June 14, 2004. President Evans stated Ms. Lois Williams, City Clerk, stated the minutes of the last meeting are not available at this time due to the workload in preparing the ward realignments for the upcoming election. Councilwoman Franklin concurred she is aware of the workload concerning this responsibility. A motion was made by Councilwoman Franklin and seconded by Councilman Durry to continue the adoption of these minutes until the next Council meeting. The motion carried with a unanimous vote of the Council members present.

### II. MAYOR'S REPORT

In the absent of Mayor James Perkins, Jr., Mrs. Sherri James, Mayor's Administrative Assistant, presented the following items:

Mrs. James stated she would like to ask Mr. David Painter, City Engineer and Ms. Valeria Jones, Personnel Director, to come forward to address the Council at the appropriate times.

A. Letter to Chief Green – Officer Tim Barnhill. Mrs. James read a letter addressed to Chief Robert Green commending Officer Tim Barnhill of the Selma Police Department, which stated the management at Care Ambulance informed him that Officer Barnhill's outstanding performance at the accident scene on Edmund Pettus literally saved the life of a 22 year old young man and they would like to congratulate him for a job well done. Officer Barnhill was present and was presented with an award from Care Ambulance for going above and beyond the call of duty on June 20, 2004. He accepted his commendation with a round of applause from the Council and others present in the chambers. Officer Barnhill accepted the award and stated he is very glad to be able to do so.

B. Resolution-Fire Department Promotional Exam. Mrs. James stated she would like to read a resolution to the Council regarding the Fire Department Promotional Exam, which Ms. Cynthia Mitchell, City Treasurer, was able to determine funds availability for approval in the amount of \$24,500.00 to amend the budget from line item 1.6110.911.3 and transferred to line item 1.6015.199.0. After a brief discussion, a motion was made by Councilwoman Sewell and seconded by Councilman Randolph to approve the said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

## II. MAYOR'S REPORT

C. Resolution – Appointment of Election Manager. Mrs. James stated she would like to read a resolution to the Council regarding appointment of an election manager. Mrs. James also read according to Code of Alabama 11-46-37, in the event the mayor is a candidate in any municipal election held under the provision of this article, he shall be disqualified to perform the duties of section 11-46-36 and said duties shall be performed by a disinterested person appointed by the governing body. Mrs. James stated a resolution has been prepared to appoint Ms. Lois Williams, City Clerk, to be the designated person for this election management and asks the Council approval at this time. After a brief discussion, Councilwoman Sewell asked, given the task of the election manager and of City Clerk, if Ms. Williams has looked at those responsibilities and if she feels she could adequately perform those duties. Ms. Williams stated she accepts the responsibilities. A motion was made by Councilwoman Franklin and seconded by Councilwoman Martin to approve the said resolution. The motion carried with a unanimous vote of the Council members presented.

D. Resolution – Selma Police Department. Mrs. James stated she would like to read a resolution to the Council regarding sworn officer slots for the Selma Police Department, and she further stated she would make copies for the Council for approval.

E. Update - Central Alabama Animal Shelter. Mr. David Painter, City Engineer, addressed the Council regarding this matter and stated proposals on the revised plan have been developed by the committee for the Central Alabama Animal Shelter. Mr. Painter stated he would have a detailed report for the Council on July 12, 2004. Mr. Painter further stated based on the proposal in hand and monies the Council, Dallas County and other sources of funds have committed, there is a project underway; his recommendation at this time is to execute the contracts for the various trade work during the week of July 12, 2004, and issue notices to proceed on July 19, 2004, with 90 days to complete this Phase I construction.

### BUSINESS ITEMS:

## III. COUNCIL/MAYOR'S RELATIONSHIP

President Evans stated there are issues in the community that the council/mayor relationship is good, bad or whatever the case may be and in the mayor's absence he will not say some of the things he would like to say. President Evans stated he wants to get some feedback from the Council and suggests the possibility of having a town meeting for the Council and the citizens, to allow the citizens the opportunity to approach the Council with issues going on in the City. After further discussion, Councilwoman Franklin stated she feels this item should be continued until the Mayor is present. President Evans stated this item would be continued and Councilwoman Sewell stated a committee might need to be formed to handle this matter. The committee consists of President Evans, and Council members James Durry and Nancy Sewell and would bring feedback at the next Council meeting.

## IV. CITY ATTORNEY'S REPORT

Attorney Nunn arrived at the Council meeting at 5:52 p.m.

A. Election Process. Attorney Nunn stated there are some Council members who are seasoned individuals who already know how to go through elections, but those who are newly elected such as Councilman Randolph, and there are some new and different election laws and since he is your city attorney, he asks all members of the Council to please feel free to call him or come by his office to discuss some things that

#### IV. CITY ATTORNEY'S REPORT

can and cannot be done. Attorney Nunn stated he would get with Ms. Lois Williams, City Clerk, and put together a package for the Council as it relates to the election.

**B. Update - General Services Department Investigation.** Attorney Nunn stated Sergeant Jimmy Martin, Detective Selma Police Department, is present to address the Council regarding an update on the General Services Department investigation. Sergeant Martin stated the General Services Department investigation is ongoing and he does not feel this is the appropriate time to discuss this matter further in an effort not to jeopardize progress of the investigation. President Evans stated this investigation has been ongoing for about 8 or 9 months now and the Council deserves more status of detail. Councilwoman Franklin stated the Council needs to know more information. Councilwoman Sewell stated she concurs with President Evans and Councilwoman Martin. After a brief discussion, a motion was made by Councilwoman Sewell and seconded by Councilwoman Franklin to request a detailed progress report of this investigation to be given, by the investigative officers along with the police chief, at the next Council meeting in the form of an executive session. The motion carried with a unanimous vote of the Council members present.

**C. City Marina - Lee Bender.** Attorney Nunn stated there was an opportunity to make an onsite visit to the City Marina with Mr. Lee Bender. Attorney Nunn stated Mr. Bender wants the blessing of the Council regarding the transfer of ownership of the City Marina to a new purchaser. A motion was made by Councilwoman Franklin and seconded by Councilwoman Martin to approve the transfer of the said property. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

**D. Cardinal Hills - Signs.** Attorney Nunn stated he visited the site at Cardinal Hills and there are two brick columns and a black sign that appear to have all the letters in place and just in need of painting. Councilwoman Sewell stated as you enter from the Montague end of the street, the sign has letters that are missing, but on the end of the street that faces Summerfield the letters are not missing. Attorney Nunn stated he only visited the end of the street of Montague, but he would go out again and visit the other end of the street. Councilwoman Sewell stated she phoned the League of Municipalities and was informed that the City's funds could not be used for repairs in subdivisions, but she would be happy to make a personal contribution when the research is complete as it relates to the owners of the subdivision. Attorney Nunn stated he would further research this issue.

**E. Charter Communications - Community Channel & CHAT Academy.** Attorney Nunn stated the Council approved funding for CHAT Academy and the development of the community channel with Charter Communications. Attorney Nunn stated the franchise agreement for the City of Selma does not provide for the cable company to do this project within the City of Selma. Attorney Nunn further stated this would have to be an amendment to the current agreement. After a brief discussion, a motion was made by Councilwoman Sewell and seconded by Councilwoman Martin to place the amendment of the current franchise ordinance, which ends in eight years, on first reading,

**F. Ordinance/Resolution - Audiotapes as Public Record.** Attorney Nunn stated he has a copy of a letter addressed to him and Mayor Perkins from Ms. Lois Williams, City Clerk, as it relates to Council meetings audiotapes. Attorney Nunn stated as per this letter, please refer to the selected readings regarding public records. After a brief discussion, a motion was made by Councilwoman Franklin and seconded by Councilwoman Sewell to have Attorney Nunn use the prepared resolution to prepare an ordinance to be placed on first reading for all past, present and future audiotapes to

**IV. CITY ATTORNEY'S REPORT**

become official documents of the meeting. 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 one negative vote. Councilman Randolph cast a negative vote.

Attorney Nunn stated he is still researching information regarding the curfew ordinance, the credit union deposits and the smoking ordinance and he should have them ready at the next Council meeting.

**BUSINESS ITEMS: (cont.)**

**V. BEAUTIFICATION COMMITTEE CHAIRPERSON**

President Evans stated the Council is still in search of a beautification committee chairperson and asked if there was anyone in the audience who would like to recommend someone to volunteer to serve in this position for the City, please feel free to let the Council know.

**VI. PUBLIC WORKS BUG SPRAYER**

Councilman Sexton stated he is waiting on information from Attorney Nunn as it relates to the legality of purchasing the bug sprayer with the funds from the oil lease money. President Evans stated this item would be continued.

**VII. RIF DISTRIBUTION – SUMMER 2004**

Councilwoman Sewell stated RIF was successful in spite of the limited budget, and that they were able to find funds to spend for RIF in the amount of about \$1,019.00. She also stated they were able to purchase about 2,000 books for the price of about \$866.06 for books only. Councilwoman Sewell stated RIF kicked off at the Convention Center on Monday and even though it conflicted with the NLC, it was very successful and she thank everyone who attended.

**VIII. NATIONAL LEAGUE OF CITIES**

Councilwoman Franklin reported to the Council items related to TIS, WIMG and the Program Committee for the National League of Cities.

**IX. POLITICAL SIGNS ON RIGHT-OF-WAY**

Councilwoman Franklin stated the political signs are all over public right-of-way and public property. Councilwoman Franklin stated the ordinance needs to be enforced and she does not know how to get the word out other than to take the signs up; and they need to be kept off of the telephone polls and the trees. Councilman Durr stated the signs are usually taken up by General Services and can be picked up there.

**X. WATER TRUCK FOR FLOWERS**

Councilwoman Franklin stated the truck used to water the flowers is over twenty years old and not usable for areas outside of Downtown. Councilwoman Franklin stated she has an estimate from the Central Alabama CO-OP in the amount of \$2,700.00 to include the hose and the freight. Councilwoman Martin stated she would like to ask Attorney Nunn if the oil lease money could be used to purchase this item.

**BUSINESS ITEMS: (cont.)**

**XI. GRASS CUTTING THROUGH THE CITY**

Councilwoman Sewell stated grass cutting in Ward Four and throughout the City is severely needed. Councilwoman Sewell stated because of the shortage in manpower, the grass is not being cut in all areas, as it should be, such as Marie Foster, Birch and many areas. Councilwoman Sewell asked if the General Services department has hired a driver for the tractor that is used for grass cutting. Mrs. Sherri James stated the job has been posted.

**XII. STANDING COMMITTEE REPORTS**

**RECREATION COMMITTEE**

Councilman Durry stated the Recreation Department is in the process of going through their playoffs in terms of softball and baseball and it has really been a great year for the kids who played the various sports. Councilman Durry stated he would like to commend the Recreation Department. Councilman Durry also stated the fish pond in East Selma is open for Senior Citizens on Monday and Tuesday, and for the younger citizens on Friday and Saturday for fishing, relaxing or exercising from 7:00 a.m. to 7:00 p.m.

**ADMINISTRATIVE COMMITTEE**

There is no report for the Administrative Committee.

**PUBLIC SAFETY COMMITTEE**

Councilwoman Franklin stated she was not able to have a Public Safety meeting since both Ms. Valeria Jones and Attorney Nunn were attending a personnel hearing this afternoon, but she would like for Ms. Jones to come forward at this time to address the Council regarding the leave time report.

Ms. Jones stated, with regards to the Public Safety Department, as it relates to what was said to be the inequality that exist between the amounts of annual overtime that is allowed for the Selma Police Department vs. the Selma Fire Department. After a brief discussion with Ms. Jones, Councilwoman Franklin stated the Council would like a resolution prepared and this item would be tabled until the next Public Safety meeting.

**COMMUNITY DEVELOPMENT COMMITTEE**

Councilwoman Martin stated she has received a program and that letters will be sent to the churches for this year's Fourth of July theme, which will be "God & Country", since July 4th will be on Sunday. The celebration opens at 7:15 p.m. and ends with a beautiful fireworks display.

**PUBLIC WORKS/GENERAL SERVICES**

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

**DISCRETIONARY FUNDS COMMITTEE**

Councilwoman Sewell stated there are two requests for discretionary funds and Ms. Mitchell will need to check for available funds for these requests. Councilwoman Sewell stated resolutions should be prepared for the courageous eight, for the loss of the three police officers in Birmingham and Ben Crane.

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Selma City Council Meeting  
June 28, 2004  
5:00 p.m.

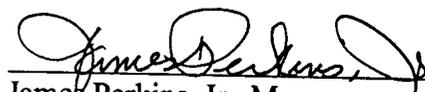
There being no other business to come before the Council, on motion made by Councilwoman Franklin and seconded by Councilwoman Martin, the Council voted by unanimous consent to adjourn this meeting at 7:21 p.m.

  
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George P. Evans, President

**ATTEST:**

  
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Lois Williams, City Clerk

**APPROVED:**

  
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James Perkins, Jr., Mayor