

## **MINUTES OF THE SELMA CITY COUNCIL MEETING HELD ON MONDAY, MAY 10, 2004**

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, May 10, 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 Sewell, Benny L. Tucker, Bennie R. Crenshaw and James Durry. Others present were City Clerk Lois Williams, City Treasurer Cynthia Mitchell, City Attorney Jimmy Nunn, Mayor James Perkins, Jr. and Mayor's Administrative Assistant Sherri James. Reverend Stevenson E. Tullis gave the invocation. Councilman Randolph is absent due to military leave.

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 a resolution for future deposits of city funds to any credit union and an ordinance for the same to the agenda. Councilwoman Franklin stated she would also like to add second opinion on the city's financial audit to the agenda. Councilwoman Sewell stated she would like to add Youth Bill 2004 to the agenda. Councilman Sexton stated he would like to add the purchase of a mosquito sprayer 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, April 26, 2004. There being no corrections to be made to the minutes, a motion was made by Councilwoman Martin and seconded by Councilwoman Sewell to adopt the said minutes as written. The motion carried with a unanimous vote of the Council members present.

### **I. CITIZENS' REQUESTS**

**A. Ms. Annie Laura Williams and Mr. John Scales – Fence Proposal.** Mrs. Annie Laura Williams addressed the Council concerning a proposal to build an iron fence around the Vaughn Smitherman Museum and parking lot, which is owned by the City of Selma. Mrs. Williams stated several reasons why this fence should be built. She further stated that the Vaughn Smitherman Museum Board will pay \$16,000 towards payment for the construction of the fence and they ask that the city consider a match of these funds in the same amount. Mr. John Scales also addressed the Council stating that this fencing is the same as the fence at Sturdivant Hall and would like to ask for a waiver from the Board of Adjustments due to the height of the fence. Mr. Scales stated \$30,900.00 is the total cost for the fence to be built and approval has already been received from the Historic Commission for the construction of the fence. After a brief discussion, President Evans stated this item is a very worthwhile project; he would like to add to the next agenda as a business item and the other Council members concurred.

**B. Ms. Stephanie Oswald, Mr. John Solomon and Ms. Lydia Chatman – Youth Meeting.** Ms. Stephanie Oswald addressed the Council stating during the Youth Summit one of the issues that was addressed was Youth Speak Up, giving youth a chance to speak out on issues and ideas that they may have. She stated as a follow-up to the Youth Summit meeting there would be a Selma City Youth Summit meeting at the Brown YMCA at 4:00 p.m. on Thursday, May 20, 2004. She stated they look forward to having all the Council members attend this meeting. This will empower the youth and give them a chance to participate in their government to restore faith in their community leaders and their city.

**C. Dr. Bruce Taylor – Black Belt Mega Health Fair.** Dr. Bruce Taylor addressed the Council stating a Health Fair will be held at the Selma Mall on June 12, 2004 from 10:00 a.m. – 3:00 p.m. Dr. Taylor stated this is a corporation between several

## **I. CITIZENS' REQUESTS**

local organizations to provide a citywide screening for citizens with Diabetes or pre-Diabetes. Pre-Diabetes is a new classification. He stated that Dallas County has the highest Diabetic rate in the nation. He further stated the screening would be done for blood sugar, blood pressure, cholesterol, osteoporosis and information on osteoarthritis. Dr. Taylor stated there would be a local podiatrist on site; there will also be a kid zone and live entertainment. Dr. Taylor further stated funding from national drug companies make this event, however, he requests a donation from the Council for a total of \$500.00 to help with the health fair.

**D. Aunita Keith - AFAP.** Ms. Aunita Keith addressed the Council stating she represents region #3, covering eight counties, which includes Dallas County, Lowdnes, Montgomery, Wilcox, Autauga, Bulter, Crenshaw and Conecuh counties. She stated within these eight counties there are a total of 512 foster children. She stated she addresses the Council tonight to request a waiver of the fee to use the Performing Arts Center on Saturday, June 5, 2004 from 10:00 a.m. – 3:00 p.m. The use of the PAC will be to have a regional meeting, bringing all eight counties into Dallas County. After a brief discussion, President Evans stated he would like to discuss this matter further regarding a waiver of fee and to also find out if the center will be available for this date. There are currently 69 foster homes in Dallas County.

**E. Bill Hamner – Comment on City Attorney's Proposed Ordinance and the FOP Carnival.** Lt. Hamner addressed the Council stating the Fraternal Order of Police has been having an annual carnival fund raising event for at least forty years. Lt. Hamner stated the carnival allows the FOP to support a baseball team and other charitable organizations. Lt. Hamner stated he has been informed that the mall management has asked the FOP to address the Council for approval to have the carnival, he is not sure of the reasons why, but he is here to ask the Council's approval. After a brief discussion, President Evans stated this request is a business item on the agenda and will be discussed further at that time.

On another matter, Lt. Hamner stated with all due respect to Attorney Nunn, City Attorney, the FOP disagrees with his comments made during the Public Safety Committee meeting about two weeks ago. Lt. Hamner stated the Attorney General Opinion, page five very clearly states that the police chief is due the same due process rights as any other merit system employee of the city and Attorney Nunn's ordinance does not provide those rights to the police chief. He further stated the ordinance does extend those rights that are given by state law to police officers to the general rank employees who are not police officers. While the FOP does support that issue, they feel that everyone should have the same due process as well and the FOP addressees this aspect in addition to the aspect regarding the hearing officers being appointed by someone who is also in power to hand out discipline. Councilwoman Crenshaw stated this matter warrants further public discussion so that a consensus can be reached and Councilwoman Franklin concurs.

## **II. MAYOR'S REPORT**

**A. Public Access Channel - CHAT Academy.** Mayor Perkins stated some of the items discussed in the last Council meeting have been summarized during a committee meeting and he is prepared to move forward with some conclusions as it relates to these specific projects. Mayor Perkins stated he has asked the persons who are directly involved in these projects to assist in addressing the Council.

Mayor Perkins stated he would like to ask Mrs. Charlotte Griffeth, Principal, Selma Middle CHAT Academy, to come forward at this time to respond to any questions or issues that the Council may have. Mayor Perkins stated as per the document summary

## II. MAYOR'S REPORT

provided to the Council, funding in the amount of **\$13,900.00** is requested for CHAT Academy and the proposed source of funds recommended is also listed: (Hyundai). Mayor Perkins stated if there are no further questions regarding this project, he asks for the Council's favorable consideration. A motion was made by Councilwoman Sewell and seconded by Councilwoman Crenshaw to approve the funding for the said project. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

**B. Selma Group Work Camp.** Mayor Perkins stated the next item is the Selma Group Work Camp, if the Council recalls Mrs. Joyce Kendrick addressed the Council at the last meeting regarding this project. Mayor Perkins stated the source of funds (Hyundai) in the amount of **\$16,800.00** is the same as ones voted on just previously, and he asks for the Council's favorable consideration. A motion was made by Councilwoman Crenshaw and seconded by Councilwoman Martin to approve the funding for the said project with stipulations for the harmless work clause to be included; and ask Attorney Nunn to develop the waiver form for this project. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present. Mayor Perkins stated this program would provide home repairs for 25 senior citizens this summer and work will be done by the youth of the City of Selma through the Selma/Dallas Community Action Agency.

**C. Summer Youth Employment Program.** Mayor Perkins stated the next item is the Summer Youth Employment Program, which has been funded for the past three years. Mayor Perkins stated this is another opportunity for the City to create summer job employment for the young people in the community. Mayor Perkins stated this proposal is almost identical to the proposal from last year with an increase of \$100.00 to the expense of T-shirts. Mayor Perkins stated he mentioned in the last Council meeting that there was a windfall that the City will receive as a result of the amended (666) Bond Fund in the amount of **\$113,000.00**. Mayor Perkins stated he recommends using these funds and asks the Council's favorable consideration. Mr. Thomas will answer any questions concerning this project. After a brief discussion, a motion was made by Councilwoman Crenshaw and seconded by Councilwoman Sewell to approve the funding for the said project pending receipt of funds from the DOT. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present. Mr. Thomas stated applications would be taken on Tuesday, May 18, 2004 with plans to hold the lottery selection on Thursday, May 20, 2004 at 5:00 p.m. An advertisement will be sent to all schools as well as printed in the Selma Times Journal. The age limit will be 15-21 years old.

**D. Basketball/Recreation Program.** Mayor Perkins stated the next item is one that has been wrestled with for quite some time, trying to figure out how to get the children safely out of the streets with basketball goals and into safer environments. Mayor Perkins stated the labor cost would be a repetitive cost and the capital improvements, on the other hand, will be a one time only major cost with some maintenance along the way. Mayor Perkins stated the recommendation is that the funding for this project should come from two different sources: (General Fund/Windfall and ATOL, which is oil lease money). Mayor Perkins stated he mentioned in the last Council meeting; the Council has **\$69,000.00** of the oil lease money still remaining from the last year appropriations, which was divided between the nine Council members. This year's appropriation is about **\$88,000.00**, and Mayor Perkins asks that the capital improvements (basketball goals, slabs and fencing) of this project be taken from the oil lease funds, and the cost of labor be taken from the windfall funds.

Councilwoman Franklin stated an item is already on the agenda for division of the oil lease money and she has already obligated the oil lease money from last year.

## II. MAYOR'S REPORT

Councilwoman Franklin stated she doesn't feel Mayor Perkins should count on the money that the Council already has to fund this project; the Council voted to divide the money and Mayor Perkins chose not to take any, and she plans to make to motion to divide this year's money as well. Councilman Sexton stated he has also obligated his funds already. President Evans stated since the Council is on this subject, he would like to move to the item on the agenda in reference to division of the oil lease monies in the amount of **\$88,815.52** and then move forward to vote on how many Council members are willing to give a portion of their funds toward this program. A motion was made by Councilwoman Franklin and seconded by Councilwoman Sewell to divide the oil lease money in the amount of \$88,515.15 by ten, between the Mayor and nine Council members, which would be **\$8,851.52** per person. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

Councilwoman Sewell stated she would like to ask that the \$30,000 collected through govdeals.com be used to help to fund this program. Councilwoman Crenshaw stated there is more money needed to secure the safety of the children, which is probably around \$40,000.00, but we cannot strip our entire budget to do so when we are holding back on money that can actually be used for this project. Councilman Durry stated land has been purchased near the fishpond a couple of years ago to be developed for a special project that is ongoing and at this point this project is contingent upon using basically all of his share of the oil lease money/bond money, and possibly more, to construct a park for the area. Councilwoman Crenshaw stated since Councilman Sexton is not going to contribute any of his share of the oil lease money to this project, he should not have a goal in his area, so she suggest moving the proposed goal from Meadowview to CHAT Academy. Councilman Tucker stated the citizens in his ward would not go to Ronnie Sharpe Park.

After further discussion, Mayor Perkins stated at this point, in all due fairness, he would like to relieve the Council of his restriction to ban basketball and proceed immediately to deal with the safety of the children. President Evans stated he would take a vote on the number of Council members who are willing to give a portion or their entire share of the oil lease money to support the funding of this project. A roll call vote was taken and the Council voted to give as follows: President Evans-\$7,500.00, Councilman Sexton-\$0.00, Councilwoman Franklin-\$0.00, Councilwoman Martin-\$8,500.00, Councilwoman Sewell-\$3,851.00, Councilman Tucker-\$0.00, Councilwoman Crenshaw-\$8,000.00, and Councilman Durry-\$0.00, with reference to his previous comments above. A total of **\$36,702.52**, which includes the amounts given by Council members and the Mayor's share of **\$8,851.52** of the oil lease money will be used to fund this project. After additional discussion, a motion was made by Councilwoman Sewell and seconded by Councilwoman Franklin to amend the general fund budget using the funds from Govdeals.com for the basketball/recreation program. The motion failed for lack of a majority vote for the motion and President Evans stated there were only three votes for the motion. Councilwoman Franklin stated by voting with the majority against the motion, she would be able to address this issue again in the next Council meeting if necessary.

E. Park Place Project – Khafra. Mayor Perkins stated that Mr. David Painter, City Engineer, Khafra, is out of town and Mr. Torris Babbs is asked to come forward to make a report on this project. Following the report from Mr. Babbs, he noted that at least \$20,000.00 would be needed to complete this project on Park Place. A motion was made by Councilwoman Crenshaw and seconded by Councilwoman Sewell to approve the payment for this project using the recommended sources of funds from the municipal aide street fund, not to exceed **\$21,000.00**. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

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F. Lots Behind Sturdivant Hall. Mayor Perkins stated it has been requested that the lots behind Sturdivant Hall, the grassy areas, are removed and made into a parking area. Mayor Perkins stated this project could be handled in-house and if the Council has no concerns about this issue, they will move forward with the project. This is city owned property. A motion was made by Councilwoman Sewell and seconded by Councilwoman Martin to approve making this area into a parking lot. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

Mayor Perkins stated he will be leaving the meeting at this time, but would like to make the Council aware that he had no knowledge of item #1 on tonight's agenda; Police Chief Robert Green – Re: Police officers pay increase, therefore he has no input because the chief has not discussed the matter with him.

## III. CITY ATTORNEY'S REPORT

A. Ordinance – Pre-Disciplinary Hearing. Attorney Nunn stated the Council discussed an ordinance to provide a pre-disciplinary hearing prior to the suspension or termination of a classified or un-classified employee. Attorney Nunn stated the Council has a copy of this ordinance and if there are no further questions, he asks for the passage of the said ordinance at this time. A motion was made by Councilwoman Franklin and seconded by Councilman Sexton for removal of this ordinance from first reading and table this item until the ordinance has been revised. The motion carried with a unanimous vote of the Council members present. Councilwoman Sewell stated during the revision, consideration should be taken for the recommendation made by the FOP for the police chief. Attorney Nunn stated that it is already in effect, that before any employee is suspended or terminated, they will have a hearing before the personnel director before any action is taken.

B. Ordinance – Curfew Enforcement. Attorney Nunn stated the curfew is still on the agenda. President Evans stated he read an article in a municipal journal regarding a case against another city regarding a curfew ordinance. Attorney Nunn stated that city did not pass the ordinance for the purposes in which they alleged, for the welfare of the youth citizen. Following reading of the case, it appeared they were alleged that the juveniles are the person committing crimes, however, when a study was conducted, it showed that the juveniles were, in fact, not committing all the crimes. Attorney Nunn stated that it has been stated that Dallas County does have close to the high crime rate as it relates to juvenile crime in the State of Alabama. Following comments made by Councilwoman Martin, a motion was made by Councilwoman Sewell and seconded by Councilwoman Franklin to remove this ordinance from first reading and table this item until the ordinance has been revised. The motion carried with a unanimous vote of the Council members present.

C. Ordinance – Basketball Goals. Attorney Nunn stated the basketball ordinance is on his agenda as a continued item. President Evans stated this item would be continued.

D. Ordinance – Smoke Free Environment. Attorney Nunn stated the smoking ordinance as presented by Ms. Pam Bostick is on his agenda as a continued item and the next step is to have a public hearing concerning the matter. President Evans stated this item would be continued and asked if Attorney Nunn had any legal concerns before the Council moves forward. Attorney Nunn does not have any other concerns.

Attorney Nunn stated he will have to leave the meeting, but will return if the Council has any further questions for him. Councilwoman Franklin stated she would like to ask Attorney Nunn, before he leaves the meeting, if he is aware of a situation

**III. CITY ATTORNEY'S REPORT**

concerning the City giving a pump to a resident on Baldwin Drive, and that the City will probably receive a claim on this matter.

**BUSINESS ITEMS:**

**IV. POLICE CHIEF ROBERT GREEN – RE: POLICE OFFICERS PAY INCREASE**

Police Chief Robert Green stated he would like to clarify something before moving forward, the Mayor is not here at this time, but President Evans should be able to attest that he received written permission from the Mayor to address the Council. Chief Green stated one of the main problems that they are experiencing at the police department is hiring and retention. Chief Green stated he promised the officers who are present tonight that he would address the Council about their pay. Chief Green further stated he has the pay scale from the national survey that was recently done and he also has the pay scale that is currently in place for the officers in the Selma police department and you will see that one of the problems that they face is that starting salaries for police officers in the City of Selma is \$22,620.00 and the starting salary for officers in the City of Prattville is \$28,000.00 plus and the same in the City of Montgomery as well as the City of Opelika and the City of Auburn.

Chief Green stated when a recruiter is sent to compete with those agencies, we simply cannot compete, so we are having a very hard time as recruiting officers, we are having a very hard time retaining officers once they are hired and we do not have a very good pool of applicants to choose from. Chief Green stated as soon as they are trained by Selma for a couple of years, they go where the grass is greener; like the Sheriff's department, because they too, pay excessively more than the City of Selma.

Chief Green further stated in the past two weeks there have been two officers who have received military orders, another who after six months decided he no longer wanted to be a police, another officer who will be leaving on Wednesday, who has accepted a Chief of Police job in another jurisdiction and three other officers who has sustained serious physical injuries. Chief Green stated for the first time since he has been employed in the Selma police department, they are down to 55 officers, which has never been that low, which also affects the overall operation of the police department, and these officers who are working are working very long hours and the pay is just grossly inadequate. They have to work two and three part time jobs just to make ends meet. Chief Green stated this is also affecting certain provisions, as you are aware, we are dealing with a lot of violent crimes and we are spending an excessive amount of time investigating these crimes. The criminal investigation division needs more officers, but he cannot afford to transfer any officers as well as in the traffic division, the Task Force division, and bike patrol. An internal affairs officer is needed because he has been depending on the recruiter to handle this job and he also handles the school relief program.

Chief Green stated the City is losing officers at a rapid rate because of the low pay, in the last nine months, we have lost nine officers, three of which have been lost to attrition, and five other officers who applied for employment in other areas and a couple of which left law enforcement all together. Chief Green further stated a lot of people who apply but do not meet background qualifications, which can be elaborated on by our recruiting officers, Sgt. Joe Little. Sgt. Little stated he would like to reiterate what Chief Green has already said and once these applicants finish two year in the police academy, they are gone, so the only thing seemingly left to do is to try to increase the salaries in hopes to attract people to Selma who will stay and do a good job. Out of fifty applicants,

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through the process of elimination, they get down to about 3 or 4 persons to do background checks on and that is a very small number.

Chief Green ask that during the Council's leisure time, if they would review the current pay scale for the police department, and note that it would take our officers who start with this salary about twelve or thirteen years to earn what the surroundings Cities police officers starting out with, once they go through the incremental step increases. Councilwoman Crenshaw asked when the step increase was implemented, was the amount of the starting salary taken under consideration. Chief Green stated he did prepare the initial scale; he was away at FBI Academy at the time. He stated the City had a plan done about a year ago and in that particular plan some recommendations were made for salary increases for officers, but was never acted upon. Councilwoman Crenshaw stated she asked the question because she really do understand the need and she doesn't know what needs to be done, but will look at as a Council. She further stated in the last two weeks the officers have really been working in her ward running drug dealer out and she appreciates all the officers, because she knows they are putting their lives in danger.

Chief Green stated they would appreciate any consideration that can be given to these officers, but the officers must be paid. Councilwoman Sewell stated she would like to commend the police department on a job well done while grossly understaffed, she appreciates as well the work that is being done and she asked Chief Green how does he make it without an assistant chief, with all the responsibility alone, and no time. Councilwoman Sewell stated we must find some means to increase our officers' salaries to make it competitive with the surrounding cities.

President Evans stated we would seriously look at next year's budget for the purpose of increases in the police department and they are considered first priority in terms of safety and security of citizens. President Evans asked based on the recruiter reports, what impact would an increase in salary have on the statistics in regards to applicants' qualifications, in other words, even if the salary was increased to \$30,000.00, how would we be assured to get qualified applicants.

Chief Green stated he feels the City would get officers who have left for other employment to return to work for the City of Selma. Councilman Sexton asked Chief Green how much of a shortage of officers does the City have. Chief Green stated when the 2003-2004 budget was prepared, there were 73 slots budgeted, but when the final budget was received there were only 59 slots, so he indicated to the Council at that time that according to the COPS grant, those 73 slots were supposed to be maintained in the budget through November 2004. President Evans stated the Council should remember that the slots were taken out in order to balance the budget and it was indicated by Miss Valeria Jones, Personnel Director, that they could be taken out, although Chief Green said that it could not be done.

Councilwoman Franklin stated that when these slots were taken out of the budget, the amount was supposed to be placed in another budget separate from the general fund, such as the Tourism budget. She stated the Council needs the salary figures again and this issue needs to be addressed for the next fiscal year and it is this Council's responsibility to pass the budget. Councilman Durry stated he concurs with Chief Green and the Council has found money for different programs that we want to do things for and we are neglecting our police department and not considering them with all the

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**IV. POLICE CHIEF ROBERT GREEN – RE: POLICE OFFICERS PAY INCREASE**

dangers that they have to face from day to day and we need to take a long look at this issue and make it a first priority.

Chief Green stated he received notification from the Justice Department on several months ago that those slots never should have been taken out of the budget and that the City would have to do one of two things; put those slots back in the budget or repay some money. Chief Green stated there was no dollar amount given for repayment.

**V. REPORT ON SEARCH FOR BEAUTIFICATION COMMITTEE CHARIPERSON**

Councilwoman Franklin stated she couldn't get the person on the phone that she needs to speak with, apparently they are out of town. Councilwoman Crenshaw stated the person whom she spoke with will not be available until after the fifteenth of the month. President Evans stated they should keep working on this item.

**VI. REDISTRICTING PLAN APPROVAL AND ASSIGNMENT/CONFIRMATION OF CITY'S PRECINCTS**

President Evans stated Attorney Nunn stated the maps have come in and his office has been working on them and should have them ready by next week.

**VII. INDEPENDENT AUDITOR REPORT (CASTON LONG & COMPANY)**

President Evans stated the Council should recall that he wrote a letter to Caston Long & Company, he will not be able to give a report on some of the issues, but one of the questions regarding how much money is paid to Mr. William Long as well as Boreland Benefield. According to the budget, we have paid out \$61,940.71 and \$80,000.00 has been budgeted for this fiscal year and he is convinced that it will be more than that amount. Boreland Benefield received \$38,144.00 of that amount and Caston Long & Company received \$23,796.71.

**VIII. REPORT ON LETTER SENT TO MAYOR CONCERNING MONIES DEPOSITED/RETURNED FROM DALLAS EDUCATORS FEDERAL CREDIT UNION**

President Evans stated he did meet with Mayor Perkins regarding the six questions contained in the letter from Councilwoman Franklin and Councilman Sexton. President Evans stated Mayor Perkins gave him permission to sit with Ms. Mitchell, City Treasurer and received the figures needed and he will make a copy for the Council. He read the answers to the questions to the Council as follows:

- 1) Dates, amounts and names of financial institution which monies were moved from. Ans. March 7, 2002-October 14, 2002, \$221,144.69 from People's Bank, and \$192,878.88 from Region's Bank.
- 2) Dates and amounts of monies deposited in the Dallas Educators Federal Union. Ans. March 7, 2002-October 14, 2002, \$488,639.98.
- 3) Number of individual accounts at the Dallas Educators Federal Credit Union. Ans. Seven (7).
- 4) Dates and amounts of monies removed from Dallas Educators Federal Credit Union, and give names of financial institution, dates and amount deposited. Ans. July 3, 2002-May 30, 2003, \$488,639.98.

**BUSINESS ITEMS:**

**VIII. REPORT ON LETTER SENT TO MAYOR CONCERNING MONIES DEPOSITED/RETURNED FROM DALLAS EDUCATORS FEDERAL CREDIT UNION**

- 5) Amount of interest received during the time monies was deposited at the Dallas Educators Credit Union. Ans. \$12,047.09.
- 6) Were there any penalties incurred from early withdrawal from the Dallas Educators Credit Union. Ans. No.

Councilwoman Crenshaw addressed questions to Councilwoman Franklin and Councilman Sexton asking, because they are such good stewards of money, how many times between 1992 and 2000 did the two of you take an active role in the preparation of the city budget. She stated in 1998 and 1999, the two of you voted to give the former mayor permission to borrow \$500,000.00 and at any time during that period did you ask for a complete audit to see why the city was in such a deficit. Councilwoman Crenshaw stated all she wants is permission to ask questions too. President Evans stated his rationale for taking the time to go and get these answers was to try to cut down on some embarrassment for anybody that may be caused. Councilwoman Crenshaw stated she would like to remind them that she feels this is based on racism, because they did not carry the same stewardship back then, so now that the City has a black mayor, why is this stewardship so very important, and during that same time, one million dollars or more was stolen from the citizens of Selma, without any questions or explanations. Councilman Sexton stated they gave the former mayor the authority to borrow the \$500,000.00 if he needed to, but he did not use it. Councilwoman Sewell stated in order to move forward with the City we need to be cognizant of the rules and play by the rules, she would like to have the questions and answers made a matter of record.

**IX. REPORT ON GENERAL SERVICES DEPARTMENT INVESTIGATION**

Councilwoman Franklin stated a motion needs to be made to request the mayor to give the Council an update on the General Services investigation because the Council has not been given any information for the past several months. Councilwoman Crenshaw asked Councilwoman Franklin why is this issue so important to her. She stated because it is an ongoing investigation. President Evans stated as a Council a decision was made based on evidence reported and at this point the Council has not received information that the Council is entitled to. The Council has made a decision to terminate an employee and at this point there has been no feedback as it relates to the outcome of that investigation and before we leave this office, we should be able to receive this information. A motion was made by Councilwoman Franklin and seconded by Councilman Sexton to request the mayor to authorize the police department to give the Council an oral report of the outcome of the investigation. The motion carried with a majority vote of the Council members present. Councilwoman Crenshaw cast a negative vote.

**X. TEEN SUMMIT – 2004 REPORT**

Councilwoman Sewell stated there were over two hundred students to register for the Teen Summit 2004, and it was a wonderful summit. She stated she thanks the Council and the Mayor for their support and she supports the Brown YMCA with their follow-up and she will be attending. T-shirts are available for the Council.

**XI. NEXT COUNCIL MEETING DATE**

President Evans stated the Council would be in Birmingham for the Alabama League of Municipalities Conference on the 24<sup>th</sup> of May. President Evans stated the Council should take a retroactive vote to appoint the voting delegates for this conference.

**BUSINESS ITEMS:**

**XI. NEXT COUNCIL MEETING DATE**

A motion was made by Councilwoman Franklin and second by Councilwoman Martin to ratify and affirm the appointment of the following Council members as voting delegate and alternate delegates for the conference; Voting Delegate, President Evans, Alternate Delegates, Councilman Durry and Councilwoman Martin. The motion carried with a unanimous vote of the Council member present.

A motion was made by Councilwoman Franklin and seconded by Councilman Sexton to move the regular scheduled Council meeting until June 14, 2004 due to the Council being in Birmingham at the Alabama League Conference. The motion carried with a unanimous vote of the Council members present.

**XII. FOP CARNIVAL**

President Evans asked if anyone knew why the Council has been addressed with this issue. Attorney Nunn stated it might be as a result of the transient ordinance, he stated he met with Ms. Boyton and discussed some issues dealing with merchants inside the mall, but not sure how this would affect the carnival being on the outside of the mall. A motion was made by Councilwoman Crenshaw and seconded by Councilman Sexton to give President Evans permission to meet with the mall manager to check on this matter so that they will be able to move forward. The motion carried with a unanimous vote of the Council members present.

**XIII. SMOKE FREE TASK FORCE RECOMMENDATION**

President Evans stated the task force has work extremely hard to put together a great document for the smoke free ordinance. President Evans stated the Council should move forward to set up a public hearing. A public hearing will be held on June 7, 2004 at 6:00 p.m. in the Council Chambers at City Hall. Councilman Durry, Councilman Sexton and President Evans have been selected to serve on the committee for this ordinance and public hearing.

**XIV. RESOLUTION – S.A.F.E. PROGRAM**

Councilwoman Franklin stated she has prepared a resolution restricting the deposits of City funds into a credit union, which are not insured by the S.A.F.E Program. A motion was made by Councilwoman Franklin and seconded by Councilman Sexton to approve the said resolution. The motion carried with a majority vote of the Council members present. Councilwoman Crenshaw cast a negative vote stating she refuses to vote on this resolution under the conditions of the good faith rule.

**XV. ORDINANCE – S.A.F.E. PROGRAM**

Councilwoman Franklin stated she would also like to have an ordinance adopted restricting the deposits of City funds into a credit union, which are not insured by the S.A.F.E Program, and she would like to have Attorney Nunn revise the preceding resolution into ordinance form to be placed on first reading. A motion was made by Councilwoman Franklin and seconded by Councilwoman Sewell to place the said ordinance on first reading. The motion carried with a majority vote of the Council members present. Councilwoman Crenshaw cast a negative vote stating she refuses to vote on this ordinance under the conditions of the good faith rule.

**BUSINESS ITEMS:**

**XVI. SECOND OPINION OF CITY AUDIT**

Councilwoman Franklin stated when the Council has a preliminary audit report, she would like the opportunity to request a second opinion. She stated she has given copies to the Council, which states that by law the Council does have the right to request a second opinion on the audit.

**XVII. YOUTH BUILD 2004**

Councilwoman Sewell stated she has been in contact with Youth Build 2004 and she would like to have the approval and support of the Council to move forward with preparing a resolution to resubmit for the City of Selma. A motion was made by Councilwoman Franklin and seconded by Councilwoman Martin to support the Youth Build 2004 submission for the City. The motion carried with a majority vote of the Council members present. Councilwoman Crenshaw cast a negative vote. Councilwoman Crenshaw stated the Council should remember some time back when this Build was not on the agenda, the Mayor asked that she and Councilwoman Sewell get together and work on the matter, but it never happened, so the Mayor brought on someone else to work with, and they are now in the process of submitting a resolution, and she feels Councilwoman Sewell should get with the Mayor to discuss this matter further before moving forward.

**XVIII. MOSQUITO SPRAYER**

Councilman Sexton stated the Council has been given a copy of the request for a mosquito sprayer for the Public Works department, which is the same kind used for the Landfill department in the amount of \$7,500.00. Councilman Sexton stated he would like to ask the Council members if they would give \$1,000.00 from their oil lease money or discretionary funds to help pay for the sprayer. This item will be tabled until the next Council meeting.

**XIX. ALABAMA FOSTER ADOPTED PARENTS ASSOCIATION**

President Evans asked if Councilwoman Crenshaw would check in this matter and bring a report back to the Council at the next meeting.

**XX. STANDING COMMITTEE REPORTS**

**RECREATION COMMITTEE**

Councilman Durry stated he would like to give the Recreation Department a hand of applaud for all the good work they do regarding our kids; if anyone has a chance and wants to see a good game, they should go to the Sportsplex to see the kids play. He stated he would like to commend the Selma Times Journal for giving the youth of Selma the same publicity that is given to our major league teams with nice colorful pictures and large print in the newspaper. Please continue to support our kids.

**ADMINISTRATIVE COMMITTEE**

There is no report for the Administrative Committee.

**PUBLIC SAFETY COMMITTEE**

There is no report for the Public Safety Committee.

**XX. STANDING COMMITTEE REPORTS**

**COMMUNITY DEVELOPMENT COMMITTEE**

Councilwoman Martin stated the Downtown tree replacement project is on schedule. She stated the Selma Seminar has been cancelled due to lack of response. She further stated she has given the Council a copy of the new brochure for the Old Depot Museum.

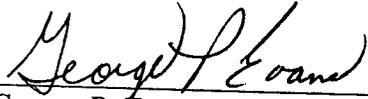
**PUBLIC WORKS/GENERAL SERVICES**

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

**DISCRETIONARY FUNDS COMMITTEE**

Councilwoman Sewell stated Dr. Bruce Taylor requested \$500.00 from the Council for the Black Belt Health Fair and she would be willing to give the first \$50.00. The Shadow Hawks Basketball Team sponsored by Dr. Wood also request funds from the Council.

There being no other business to come before the Council, upon motion, the Council voted by unanimous consent to adjourn this meeting at 8:42 p.m.

  
\_\_\_\_\_  
George P. Evans, President

**ATTEST:**

  
\_\_\_\_\_  
Lois Williams, City Clerk

**APPROVED:**

  
\_\_\_\_\_  
James Perkins, Jr., Mayor