

**MINUTES OF THE  
SELMA CITY COUNCIL MEETING  
HELD ON MONDAY, JULY 28, 2003**

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, July 28, 2003 at 5:00 p.m. with the following members present: President George P. Evans and Council members Glenn Sexton, Rita S. Franklin, Jean T. Martin, Nancy G. Sewell, Bennie R. Crenshaw, Benny L. Tucker and James Durry. Others present were Acting City Clerk Lois Williams, City Attorney Jimmy Nunn, Mayor James Perkins, Jr. and the Mayor's Administrative Assistant Sherri James. Councilman Randolph was absent from the meeting. Reverend Ernest Wright 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. President Evans stated that the Hyundai commitment and Executive Session should be added to the agenda. A motion was made by Councilwoman Franklin and seconded by Councilwoman Sewell 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 Council meeting held on Monday, July 14, 2003. There being no additions or corrections to the minutes, a motion was made by Councilwoman Sewell and seconded by Councilwoman Martin to adopt the minutes as recorded. The motion carried with a unanimous vote of the Council members present.

**I. MAYOR'S REPORT**

**A. Budget Work Sessions.** Mayor Perkins stated that he was not present at the work session because he attended the National Park Services Open House at the Convention Center and he was asked to relay to the Council to please attend if opportunity permits before seven. Mayor Perkins stated that the President of the Council received a proposed budget work session schedule asking the Council committees relating to the corresponding departments are available to meet at the times designated in the schedule.

**B. Contract – ATRC Senior Aides Program.** Mayor Perkins stated that the Council has been given copies of the contract related to the Senior Aide Program, which the Alabama Tombigbee Regional Planning Commission provides for Mrs. Blackmon as the receptionist at City Hall. Mayor Perkins stated that the appropriation for this program is \$900.00 and he asks the Council to support this contract by affirmative vote. A motion was made by Councilwoman Franklin and seconded by Councilwoman Martin to approve the appropriation of funds for this program. A roll vote was taken and the motion passed with a unanimous vote of the Council members present.

**C. Contract – Property Tax Bills & Abstracts for 2003-2004 With Dallas County.** Mayor Perkins stated that the Council has been given copies of the contract related to Dallas County preparing property tax bills and abstracts for 2003-2004. Mayor Perkins stated that he is asking the Council to support this contract by affirmative vote. A motion was made by Councilman Sexton and seconded by Councilwoman Sewell to approve this contract. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

**D. Contract – Elimination List 2002-2003 Tax Year.** Mayor Perkins stated that the Council has been given copies of the contract related to the elimination list for tax year 2002-2003 provided by the Tax & License Office. After a brief discussion, a motion was made by Councilwoman Franklin and seconded by Councilman Sexton to approve this contract and the motion passed with a majority vote of the Council members present. There was one negative vote. Councilman Tucker cast the negative vote.

I. **MAYOR'S REPORT**

E. **Contract – AHC Grant Agreement-Downtown Main Street Program.** Mayor Perkins stated that the Council has been given a copy of a memo from the Community Development Office in lieu of contract copies because of their thickness as it related to the AHC Grant Agreement for Project Number AL-03-023 Downtown Main Street Program and he requests Council approval of this contract with a match of \$10,000.00. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to approve this contract. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

F. **Contract – Historical Churches Booklet.** Mayor Perkins stated that the Council has been given a copy of a memo from the Community Development Office in lieu of contract copies because of the thickness of the contract as it relates to the Historical Churches Booklet contract and he requests approval of this contract with a match of \$5,000.00. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to approve this contract. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

G. **Contract – ALDOT Agreement-Selma River Front Development.** Mayor Perkins stated that the Council has been given a copy of a memo from the Community Development Office in lieu of contract copies because of the thickness of the contract as it relates to the resolution to execute the ALDOT agreement for the Selma River Front Development and he requests Council approval of this contract for \$500,000.00 with no matching funds. A motion was made by Councilwoman Martin and seconded by Councilwoman Sewell to approve this contract. The motion passed with a unanimous vote of the Council members present.

H. **Resolution – Execution of ALDOT Agreement.** Mayor Perkins stated that a copy of a resolution has been given to the Council to authorize the Mayor to execute the contract for the ALDOT Agreement for the City of Selma. A motion was made by Councilwoman Martin and seconded by Councilman Sexton to approve the resolution to executive this contract. The motion carried with a unanimous vote of the Council members present.

I. **Request for Resolution – Assassination of New York City Councilman Davis.** Mayor Perkins stated that he would like to ask the Council to volunteer to put together a resolution from the City of Selma in recognition of the assassination of New York City Councilman James Davis. A motion was made by Councilwoman Crenshaw and seconded by Councilwoman Sewell to develop a resolution in recognition of the Councilman. The motion passed with a unanimous vote of the Council members present.

J. **Defiant Run.** Mayor Perkins stated that Mr. Frank Hardy presented the Defiant Run Program to the Council at the last Council meeting and he indicated that he would like for the Council to support the program. Mayor Perkins stated that he also indicated he was not sure what support was needed, but since that time, Mr. Hardy has given him a request for the City of Selma to contribute \$20,000.00 to help defray the costs of the Defiant Run.

K. **Follow up on Items of Last Agenda.** Mayor Perkins stated that there were some items on the last Council meetings agenda that he was requested to obtain follow up information for:

1. **Parking Enforcement on Lafayette Drive and sidewalks.** Mayor Perkins stated that he has asked Mr. Robert Green, Chief of Police to attend this meeting to provide information on the parking enforcement at Lafayette and sidewalks. Chief Green stated that no one has complained to the Police Department regarding any parking violations at Lafayette. Chief Green stated that this matter was addressed a couple of months ago and a solution was thought to have been developed with the Fire Chief and the Public Works Director and he had not heard any other information regarding the matter.

I. **MAYOR'S REPORT**

2. **Grass Cutting.** Mayor Perkins stated that he has asked the department heads that are responsible for the grass cutting on public property to attend this meeting to provide information on this matter; Mr. Marcus Hopkins, General Services Superintendent, Mr. Willie Peoples, Cemetery Director, Mr. Henry Hicks, Code Enforcement Officer, and Mr. Tommy Smith, Public Works Director. Councilwoman Franklin stated that she has a question regarding the grass cutting on the property on Martin Luther King Street where the old Salvation Army Church used to be. Mr. Hopkins stated that it has been cut as of Friday. Councilwoman Crenshaw stated that she would like to ask the departments heads to please make sure to keep the grass on the Martin Luther King trail cut and clean in that area during the cutting period.

L. **Bid – Hickory Street Project.** Mayor Perkins requested Mr. David Painter, City Engineer, Khafra Engineering, to come forward with his presentation request to take bids on repairs and pavement on Hickory Street. President Evans stated that Mr. Painter has already made his presentation during the work session, at this time, the Council is asked to vote. A motion was made by Councilwoman Crenshaw and seconded by Councilwoman Sewell to approve the request for bids by Mr. Painter, and also in an effort to save money on the project, to utilize the services of the Public Works department for preparatory duties with the approval of the Mayor. A roll call vote was taken and the motion passed with a unanimous vote of the Council member present.

M. **Animal Shelter Construction.** Mayor Perkins asked if the Council planned to take action on the construction of the Animal Shelter project. Mayor Perkins stated that there is \$150,000.00, but the cost of the project is \$175,000.00, there is about a \$25,000.00 to \$30,000.00 variance. Councilwoman Franklin stated that the Council would like to get the balances of their discretionary funds, oil lease funds and 99 bond funds. Mayor Perkins stated that he would defer this request until the next Council meeting.

N. **Payment to Selma Water Works for Damage to Phone Lines.** Mayor Perkins stated that Mr. Henry Hicks, Code Enforcement Officer, will give an update on this matter at the next Council meeting.

O. **List of All Employees with Cell Phones and Positions.** Mayor Perkins stated that this is work in progress and an update will be given at the next Council meeting.

P. **Request to Meet with President Evans to Discuss Business Item Strategy for Council Agenda.** Mayor Perkins stated that he would like to meet with President Evans to discuss the business item strategy for the Council agenda. Mayor Perkins stated that many of the items listed in the business item section warrant detail discussion from department heads, etc. and the agenda is typically received only an hour or maybe two hours prior to the Council meeting, so there is no way to notify the necessary department heads or conduct adequate research to get proper responses on issues. Councilwoman Crenshaw stated that some business items could possibly be discussed during committee meeting.

II. **2003-2004 BUDGET HEARINGS WITH COUNCIL MEMBERS**

President Evans stated that each Council member has been given a copy of the budget work sessions scheduled for July 30, 2003 through August 4, 2003. President Evans stated that each member serving on the designated committees are asked to attend the sessions during the times listed for each department in the Mayor's conference room to discuss the 2003-2004 budget.

### **III. E-911 COMMITTEE REPORT**

Councilwoman Martin stated that the E-911 committee met on last Friday and invited the County Commission for the purpose of discussing further aspects of E-911. Councilwoman Martin stated that the only commissioner who attended was Mr. Williams, and discussion at great length took place regarding the City's position on how the operation of E-911 should be performed. Councilwoman Martin further stated that no settlement was reached and it was determined that maybe it is time to just hand over E-911 to the Board and the County, but if that is done, the City should not have to pay the large amount of money, more than \$200,000.00, that is being requested. Mayor Perkins stated that the conclusion is that it is time for the two governing bodies, the County and the City, to meet for the purpose of ironing this situation out, because the City does not have any authority or jurisdiction over the E-911 Board and Commissioner Williams concurred that it is time to get together and make a decision on the best way to approach the matter. After further discussion, President Evans stated that he would get with Judge Johnny Jones to request a meeting with an agenda between the two governing bodies, the City Council and the County Commission.

### **IV. SELMA PUBLIC BUILDING AUTHORITY**

Councilwoman Crenshaw stated that copies have been distributed to the Council for recommendations to the Selma Public Bldg Authority Board and she would like for each member to vote for nine names out of sixteen and the votes will be counted to make the appointments for a four-year term to beginning October 1, 2003.

### **V. FINANCIAL COMMITTEE REPORT WITH FINANCE DIRECTOR**

Councilwoman Martin stated that since Mrs. Vickey Locke, Finance Director, is not present and therefore has not been able to give a report, it is her strong suggestion that this item is tabled until Mrs. Locke is present. President Evans stated that this item will be tabled until the next Council meeting.

### **VI. REALIGNMENT OF WARD DISCUSSION**

President Evans stated that each Council has been given a copy of the latest report on realignment of wards. President Evans stated that this is Plan 3, and he asked Mr. Reynolds to come forward to give a quick overview of the plan presented. Mr. Reynolds stated that he has presented to the Council with Plan 3, which was determined from changes suggested after discussion of Plans 1 and 2. Mr. Reynolds discussed several aspects of the plans concerning the movement of streets between wards to make justifications according to populations. Mr. Reynolds suggested the Council to give a public notice prior to the adoption of the ordinance for the realignments. After further discussion, Attorney Nunn stated that he would have the steps for public notice prepared by the next Council meeting. President Evans stated that the Council agreed to have at least one public meeting, which could be held at the Convention Center. A motion was made by Councilwoman Franklin and seconded by Councilwoman Martin to place the map of plan 3 on first reading until the next Council meeting. The motion passed with a unanimous vote of the Council members present.

### **VII. CIGARETTE/TOBACCO TAXES – SEPTEMBER 1<sup>ST</sup> DEADLINE**

Councilwoman Franklin stated that she has forwarded the information concerning this matter to Attorney Nunn and needs to be in place by September 1, 2003.

**VIII. NEW WORLD SOFTWARE PRESENTATION TO THE COUNCIL**

President Evans stated that he is not sure of the status of this presentation that was requested by the Council. Councilwoman Sewell stated that during the meeting it was stated by Mrs. Locke that an upgrade of the New World software has been received and can be installed that would support the guidelines for GASB34. Councilwoman Sewell further stated that Mrs. Locke also stated that a workshop by New World was needed for the staff, but would need to be approved by the Council. President Evans stated that he is requesting Mayor Perkins to contact New World and find out when a scheduled date and time could be determined for them to give an overview to the Council.

**IX. ORDINANCE – PUBLIC INDECENCY**

President Evans stated that the Public Indecency ordinance was placed on first reading at the last Council meeting. A motion was made by Councilwoman Franklin and seconded by Councilwoman Sewell to approve the adoption of this ordinance. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

**X. COUNCIL MEMBERS ATTENDING WORSHIP SERVICES**

President Evans stated that this item has been discussed previously regarding visiting churches in the community as a Council for the purpose of praying and worshiping together beginning next month. Councilman Durry suggested to just pick a Sunday and give it a try at someone's church to see how it works. Councilwoman Martin stated that the minister of her church has already agreed to invite the Council to her church. Councilwoman Crenshaw stated that maybe an event calendar should be developed and gives everyone a choice. Councilwoman Sewell stated that she thinks this is a wonderful idea. A motion was made by Councilwoman Crenshaw and seconded by Councilwoman Sewell to accept the concept of the Council attending worship services together and to develop a calendar. The motion passed with a unanimous vote of the Council members present. Mayor Perkins stated that he feels that this is a good idea and he suggested the Council consider the second or fourth Sunday before Council meeting as the targeted dates to attend worship service together. The Council agreed to a tentative date of August 24, 2003 to worship with Councilwoman Martin's church.

**XI. HYUNDAI REPORT**

President Evans stated that there was an article in the paper regarding some new plant locations being announced by Hyundai. Councilwoman Sewell stated that she would like to have a plant located in Selma as a supplier. Councilwoman Crenshaw stated that she would like to make an official request to the EDA Board to research the reasons why the City of Selma have not reaped any benefits from the development of the Hyundai Corporation. President Evans stated that Selma deserves a plant to be located here because Selma has the land and equipment, etc., and he feels that no one has worked any harder than the City of Selma and Dallas County to have industries available in this area. President Evans further stated that the City will continue working on this project.

**XII. STANDING COMMITTEE REPORTS**

**RECREATION DEPARTMENT COMMITTEE REPORT**

There is no report from the Administrative Committee.

**ADMINISTRATIVE COMMITTEE REPORT**

There is no report from the Administrative Committee.

## **XII. STANDING COMMITTEE REPORTS**

### **PUBLIC SAFETY COMMITTEE REPORT**

There is no report from the Administrative Committee.

### **COMMUNITY DEVELOPMENT COMMITTEE REPORT**

There is no report from the Community Development Committee.

### **PUBLIC WORKS/GENERAL SERVICES COMMITTEE REPORT**

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

### **DISCRETIONARY FUND COMMITTEE REPORT**

Councilwoman Sewell stated that she has two applications requesting discretionary funds from HGHG Adult Day Care Center and Felix Heights Summer Youth Day Camp.

## **XIII. CITY ATTORNEY'S REPORT**

**A. Amendment – Escrow Trust Account Agreement.** Attorney Nunn stated that this issue deals with the amendment to the Escrow Trust Account agreement and ordinance as it relates to the correction of totals in the agreement and he is asking for approval of the Council for the correction. Attorney Nunn stated that the amount listed in section two of the agreement as \$1,190,000.00 should have been listed as \$605,000.00. A motion was made by Councilwoman Sewell and seconded by Councilwoman Martin to approve the agreement and ordinance as amended. A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were seven affirmative votes. Councilman Sexton was absent from the Chamber when the vote was taken.

**B. Letter – Attorney.** Attorney Nunn stated that a letter has been given to each Council member from Christina C. Mosca, Government and Public Relations Manager for Charter Communications as it relates to public facilities, local numbers and insurance. Attorney Nunn stated that there is also a copy of the list of the public facilities that they are providing cable services to free of charge. Attorney Nunn also stated that there is a copy of an email for your information from Rusty Monroe, Consultant, as it relates to the indictment of four of the top executives of Charter Communications. After further discussion, the Council requested Attorney Nunn to check and find out if Selma High School, Woodrow Fire Department, Dallas Academy Bldg and the Convention Center have free cable service.

**C. Court Order – Mark King.** Attorney Nunn stated that the Council has been given a copy of an order by Judge Marvin Wiggins as it relates to Mark King versus the City of Selma, he stated that this case has been dismissed as of June 11, 2003.

**D. Council-Manager Form of Government.** Attorney Nunn stated that the Council has been given a copy of the council-manager form of government. Attorney Nunn stated that ten percent of citizens have to sign a petition, then there is a vote of the people, after which the change would take place following the next municipal election. Attorney Nunn further stated that the council-manager form of government would consist of five members, one member shall be the Mayor elected by the voters at large to preside over the deliberations of the Council, one member shall be a Council member elected by the voters at large to be the President, and three members shall be Council members elected by the voters at large from each of three single member districts. This would mean that there would only be three districts instead of the present eight districts and the Mayor shall preside at the meetings of the Council and shall be recognized

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Selma City Council Meeting  
July 28, 2003  
5:00 p.m.

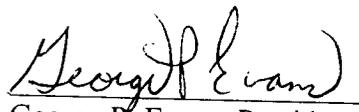
**XIII. CITY ATTORNEY'S REPORT**

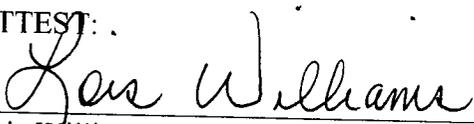
as the head of the municipal government for all ceremonial purposes and by the governor for the purpose of military action.

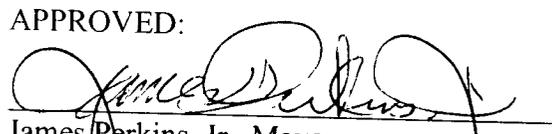
There being no other business to come before the Council, the next work session will be scheduled the same day as the regular Council meeting to be held on Monday, August 11, 2003, with work session at 3:30 p.m. prior to Council meeting at 5:00 p.m. On motion made by Councilwoman Sewell and seconded by Councilwoman Crenshaw, the Council voted by unanimous consent to adjourn into executive session at 7:59 p.m.

**EXECUTIVE SESSION**

A motion was made by Councilwoman Sewell and seconded by Councilwoman Franklin to adjourn the meeting into executive session. The motion carried with a unanimous vote of the Council members present.

  
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George P. Evans, President

ATTEST: .  
  
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Lois Williams, Acting City Clerk

APPROVED:  
  
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James Perkins, Jr., Mayor