

**MINUTES OF THE SELMA CITY COUNCIL  
OCTOBER 24, 2005  
5:00 P.M.**

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, October 24, 2005 at 5:00 p.m. with the following members present during roll call: Council President George Evans and Council members Cecil Williamson, Reid Cain, Jean T. Martin, Samuel L. Randolph, Johnnie M. Leashore and Bennie R. Crenshaw. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell and the Mayor's Administrative Assistant Sherri James. Councilman Cain was absent during roll call, arriving later at 5:11 p.m. Councilwoman Allen is absent due to being out of town on business and Councilwoman Venter is absent due to death in her family. A brief moment of silence was observed. Reverend Grover Brown gave the invocation.

**APPROVAL OF AGENDA:**

Additions: XXI - Pheonix School  
XXII - Disaster Committee Update  
XXIII - Job Fair  
XXIV - Executive Session

Deletions: None

Prior to approval of the agenda, Councilwoman Crenshaw stated she has a question about item seventeen, Travel Gate, and asked what is this item. President Evans stated he tried to contact Councilman Cain regarding this item, because he requested to have it on the agenda, but he was not able to contact him. Councilwoman Crenshaw stated the Council would need to be clear of what is being placed on the agenda. President Evans stated in the future he would try to obtain clarification on items in the event questions need to be answered. During discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve the agenda as amended. The motion carried with a unanimous vote (show of hands) of the Council members present.

**APPROVAL OF MINUTES:**

A motion was made Councilman Leashore and seconded by Councilwoman Martin to approve the minutes of the meeting for September 26, 2005, and the reconvened meeting for September 27, 2005. The motion carried with a majority vote (show of hands) of the Council members present. There were five ayes and two nays. Williamson and Cain cast nay votes.

A motion was made Councilwoman Martin and seconded by Councilman Randolph to approve the minutes of the meeting of October 10, 2005. The motion carried with a majority vote (show of hands) of the Council members present. There were five ayes and two nays. Williamson and Cain cast nay votes.

**I. MAYOR'S REPORT**

A. **Blue Cross Blue Shield Enrollment Contract.** Mayor Perkins asked Personnel Director Ms. Valeria Jones to address the Council regarding this contract. Ms. Jones addressed the Council as per the attached enrollment agreement, stating that there would be an increased budget amendment of 6% at \$57,870.00. A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve the said agreement. A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were five ayes and two nays. Williamson and Cain cast nay votes.

B. **Good Samaritan - Elevator Maintenance Agreement.** Mayor Perkins stated this agreement was presented to the Council at the last meeting and he asks the Council favorable consideration. A motion was made by Councilman Leashore and seconded by Councilman Randolph to approve the said agreement. 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 nay. Williamson cast a nay vote.

C. **IT Department Development.** Mayor Perkins stated he submitted to the Council, for consideration, a proposed information technology department start-up strategy. He asked that the Council review this strategy and prepare for a discussion and vote of action at the next Council meeting.

D. **Council Committee Meeting Request.** Mayor Perkins stated he also provided the Council, for consideration, a recommendation per memo attached, on how to improve the involvement of department heads and mayor in the agenda items.

I. MAYOR'S REPORT

E. Contract for Service - DHL Ana Laboratory, Inc. Mayor Perkins stated this company that assisted the City of Selma with technical issue during the Brownfield project, the former All-Lock project, Underground Storage Tank (UST) and provided relationships needed for communications concerning environmental issues with ADEM and EDA. Mayor Perkins stated the City of Selma still has a lot of property-oriented transactions to deal with such as the landfill. He asked that the Council review this contract and prepare for a vote of action at the next Council meeting.

II. CITY ATTORNEY'S REPORT

A. Contract - City Marina. Attorney Nunn stated the City of Selma entered into a one-year contract with Ms. Gail Hughes as it relates to the City Marina. Attorney Nunn stated this contract expires in October and he requested Council approval at this time. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to approve the said contract. The motion passed with a unanimous vote (show of hands) of the Council members present.

B. Resolution - #R102-05/06 - Fire Department Uniforms. Attorney Nunn stated during the month of September 27, 2005 through October 5, 2005, the City Clerk's office accepted bid proposals on the Fire Department Uniforms. He stated the lowest responsible bidder, McCain Uniform Company, is hereby awarded the contract in the amount of \$380.00 per complete unit up to the budgeted amount of \$30,000.00. A motion was made by Councilwoman Martin 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.

C. K-9 Hero Retirement. Attorney Nunn stated he has received a letter from Chief of Police Jimmy Martin as it relates to the K-9 Hero Retirement. Attorney Nunn read the letter to the Council. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to approve the retirement of the K-9. The motion carried with a unanimous vote (show of hands) of the Council members present.

D. K-9 Hero Purchase Request. Attorney Nunn he also received a letter from Officer David Hopkins as it relates to the purchase of a K-9 Hero. Attorney Nunn read the letter to the Council. President Evans stated it is the general consensus of the Council to allow Officer Hopkins to keep the K-9 until Chief Martin can bring a recommendation of the value at the next Council meeting.

E. Contracts For Services. Attorney Nunn stated his office in preparing the contracts for services for the 2005-2006 fiscal and if he Council has any changes, to please let him know in the next two weeks or by the next Council meeting.

F. Administrative Committee Report. As per written report, dated October 21, 2005, submitted by Councilwoman Allen, regarding Honda Lock with the following recommendations: (1) An amendment to the ordinance to allow businesses a smoking room that has its own ventilation system and is totally encapsulated with a door which can only be entered from the outside designated as a mandatory non-smoking area; A motion was made by Councilwoman Martin and seconded by Councilman Leashore to accept the recommendation submitted by the committee. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present. (2) No amendment or allowance is made for individuals to smoke in private offices. A motion was made by Councilman Leashore and Councilwoman Crenshaw to accept the recommendation submitted by the Council. A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were four ayes and three nays. Williamson, Cain and Martin cast nay votes.

G. Revocation of Liquor License. Attorney Nunn stated the Council has approved the license for Roy Liquor Application, located at 2306 Hwy 80 East, and it has been forwarded to the ABC Board, however, the question arose as to whether the City of Selma has the right or authority to revoke this license. Attorney Nunn distributed copies of the *Alabama Code* to the Council, as per revocation and enforcement of a liquor license, and read the same to the Council. Attorney Nunn stated there were also concerns by the public and Council members, as it relates to whether the City can prohibit an application for approval that is located near a church. Attorney Nunn also read this information to the Council. Following discussion, a motion was made by Councilman Leashore and seconded by Councilman Randolph to have Attorney Nunn to draft a

**II. CITY ATTORNEY'S REPORT**

letter to the ABC Board for revocation of this license on behalf of the Council. The motion carried with a unanimous vote (show of hands) of the Council members present.

**H. Feasibility Study - Curfew Ordinance.** President Evans stated due to the absence of some Council members, this item would be continued until the next Council meeting.

**I. St. James Hotel Update.** Attorney Nunn stated he did have an opportunity to talk to Mr. Striplin, who stated that the renovations have started, and there is also new management at the hotel.

**H. Liquor License Applications.** Attorney Nunn stated the Council has been given copies two liquor licenses for approval. (1) 12<sup>th</sup> Stone, 1408 Water Avenue, a motion was made by Councilman Leashore and seconded by Councilman Randolph to place the said license on first reading. The motion carried with a majority vote (show of hand) of the Council members present. There were five ayes and one nay. Cain cast a nay vote. (2) El Charro, 211 Highland Avenue, a motion was made by Councilman Leashore and seconded by Councilman Randolph to place the said license on first reading. The motion carried with a majority vote (show of hand) of the Council members present. There were five ayes and one nay. Cain cast a nay vote.

**I. Distribution of 2005-2006 Official Budgets.** Attorney Nunn stated official copies of the 2005-2006 budget will be distributed to the Council at the end of the Council meeting.

**J. Temporary Liquor License Request.** Councilman Leashore stated a request for Temporary License should have been presented to the Council for the Kiwanis Club fund raising event that will be held the first weekend in November, and he was under the impression it would be present by Attorney Nunn. A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to grant a temporary liquor license to the Kiwanis Club. The motion carried with a majority vote of the Council members present. There were six ayes and one abstention. Williamson abstained from voting.

**BUSINESS ITEMS:**

**III. GOOD SAMARITAN UPDATE AND FORM FOR REPORTING DATA**

Councilman Cain stated the Council received a report for the month of September, but he would also like to receive a report for the months of May, June, July and August.

**IV. CRESENT HILL UPDATE**

Councilman Williamson stated he would like to receive a list of the expenses associated with the repairs on this project.

**V. REPORT OF COLLECTION OF OUTSTANDING GARBAGE FEES**

President Evans stated this item would be continued.

**VI. REPORT OF COLLECTION OF OUTSTANDING TRAFFIC CITATIONS**

President Evans stated this item would be continued.

**VII. CLARITY OF CITY OWNED PROPERTY**

President Evans stated this item would be continued.

**VIII. COUNCIL WORK SESSION**

President Evans stated this item has been discussed and would be tabled until the next meeting.

**BUSINESS ITEMS:**

**IX. ENFORCEMENT OF CITY'S ORDINANCES AND CODES**

President Evans stated there has been a public outcry regarding the enforcement of the city ordinances and city codes. President Evans stated the appropriate committee chairpersons should take the lead on following the necessary procedures for enforcement of the code.

**X. E-911 DISPATCHERS**

President Evans stated the he spoke to Sheriff Huffman dealing with this situation and he stated that he has some concerns about this issue and he is working on it at this time, however, he also stated that if any citizen has further complaints, to call him personally and he will find out if citizens are being disrespected by dispatchers.

**XI. COLA**

President Evans asked Personnel Director Ms. Valeria Jones to address the Council on this item. Ms. Jones stated she met with the Administrative Committee at which time a cost of living increase was discussed for the retirees and beneficiaries. Ms. Jones stated to grant a 4% increase would cost a lump sum of approximately \$71,509.44, and the Council would have to make the decision whether to grant or deny this increase. Councilman Leashore stated the Council should forego this item until the committee makes a recommendation.

**XII. CITY'S PAY PLAN**

President Evans asked Personnel Director Ms. Valeria Jones to address the Council on this item. Ms. Jones stated she met with the consultant on last week and following further review, the plan will be presented to the mayor this week, and he will in turn make a recommendation to the Council.

**XIII. DRUG TASK FORCE**

Councilwoman Crenshaw stated this item was referred to the Public Safety Committee.

**XIV. RESTORE LIBRARY FUNDING**

Councilman Cain stated since there appears to be extra funds, he would like to look into restoring the library funding, because the library meets the needs of many of our students in Selma and this is very important for them to have the funding to do the things necessary to continue their educational efforts. President Evans asked how much did Councilman Cain want to restore to the library. Councilman Cain stated he would like to restore \$85,700.00 that was deleted from the 2004-2005 budget during the re-engineering strategy. President Evans stated some of these funds include utilities that were at one time all on one bill with other city buildings. However, President Evans stated, as a result, has been separated, and is now the responsibility of the library, which is roughly about \$39,000.00. Councilman Cain stated the funds were for one half year in 2005, but for this year, 2006, the amount will be \$84,700.00 or \$85,700.00 for utilities as well as revenues, and he would like to restore this amount back to the library. President Evans stated what has happened, to his knowledge, is that the City has gone back and clarified that the library should receive one cent on sixteen cents oppose to twenty percent. Councilman Randolph stated he does feel the library needs more funds, but what about the other industries such as V.I.P. the Arts Council, etc. and for the past five years the City has been giving over \$300,000.00 to the library, roughly seventy five percent of their budget versus twenty five percent from Dallas County, and as he stated before, he feels Dallas County should at least match what the City gives. Councilwoman Crenshaw stated Mrs. Nichols is not present tonight, but she is not aware of a request to the Council from her, so who is making the request for the library. President Evans stated that Mayor Perkins has stated that he would be forming a committee to raise funds for the library and asked Councilman Cain if he had called to be a part of this committee. Cain stated he did call to be a part of the committee. Following further discussion, a motion was made by Councilman Cain and seconded by Councilman Williamson to restore the funding to the Selma Dallas County Public Library in the amount of \$85,700.00. A roll call vote was taken and the motion failed due to lack of a majority vote of the Council members present. There were two ayes and five nays. Evans, Martin, Randolph, Leashore and Crenshaw cast nay votes.

**BUSINESS ITEMS:**

**XV. RESTORE YMCA FUNDING**

Councilman Cain stated there is a new YMCA being built for the citizens of Selma and Dallas County and he would like to see the funding increased for the YMCA to match Dallas County funding, which is \$15,000.00 for the new facility and \$10,000.00 for the Brown YMCA. During discussion, this motion was made by Councilman Cain and seconded by Councilman Williamson to increase the funding to the new YMCA in the amount of \$15,000.00, and \$10,000.00 to the Brown YMCA. Councilwoman Martin stated she feels it should be noted that some Council members have given quite generously to the YMCA. A roll call vote was taken and the motion failed due to lack of a majority vote of the Council members present. There were three ayes and six nays. Martin, Randolph, Leashore and Crenshaw cast nay votes.

**XVI. MAYOR'S BUDGET COMMENTS**

Councilman Cain stated on September 12, 2005, Mayor Perkins stated he would like to clarify the process of facilitating budget amendments within a department, and President Evans stated there were two occasions where this occurred. Councilman Cain stated there are two issues: (1) a line item budget was passed, and once passed money is not supposed to be moved from one line item to another without Council acknowledgement, and (2) he stated he has been unable to find documentation of this approval by the Council in the past and asked President, since he was aware of this procedure, if he could help to find this information. During discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to allow the current procedure to carry forward, meaning money can be transferred by line item within the department as long as it does not exceed the budget amount or cross personnel issues. Councilman Williamson amended the motion to add that the Council would be made aware if this situation occurs. 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 nay. Crenshaw cast a nay vote.

**XVII. TRAVEL GATE**

Councilman Cain stated in April the Council passed a self-pay policy for all travel expenses for the rest of the year and certain Council members choose not to honor the self-pay policy and took public funds. Councilman Cain stated those funds were taken from discretionary funds by the mayor. Councilman Cain addressed a question to President Evans asking if it is correct that Mayor Perkins gave certain Council members; Leashore, Crenshaw and Venter funds from his discretionary to take care of their Huntsville trip as well as their Orlando trip. President asked Councilman Cain where was he headed and stated the Council has been over this. Councilman Cain stated he has new information. Councilman Cain stated basically what has happened is that travel funds have been taken out of discretionary funds, however, based upon the information given on the travel vouchers, as well as checks, \$1,014.20 to Councilman Leashore as well as \$1,014.20 to Councilwoman Venter, came out of Special Projects, the general fund Special Projects account #1.6000.100.70. Councilman Cain stated in July there was \$6,900.00 in that fund, Special Projects fund, and he stated Special Projects are suppose to come before the Council for approval as determined in the last Council meeting. Councilman Cain stated in August, in that account, there was a budget amendment of \$13,433.00 and our expenses increased to \$21,000.00 in that same account. Councilman Cain stated none of this came before the Council for approval. Councilman Cain stated in September the budget amendments now changed to \$10,000.00 and the overall amended budget for Special Projects is \$18,000.00, however, the expenses have now been reduced to \$3,300.00. Councilman Cain asked, "Where is the money going?"

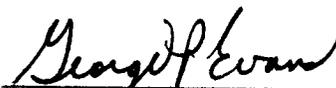
President Evans stated he would like to be looking at that when being told about it, something before him to see because he cannot visualize all those figures in his head just sitting here. President Evans stated this information would need to be put in writing and outline the particular months, dates and money so that the Council would be able to respond. President Evans stated he cannot respond to this information at this point. President Evans asked Councilman Cain if he would make sure every Council member receives a copy of this information so that it can be addressed at the next Council meeting or possibly cleared up prior to the Council meeting. Councilman Randolph asked if there are two Special Projects accounts, and stated Mayor Perkins has his own Special Projects. Councilwoman Crenshaw stated Mayor Perkins has a Special Projects account and he can do what he wants with that Special Projects account. Mayor Perkins addressed President Evans stating "with all due respect to you", he sees him as the CEO of this meeting and what Mr. Cain chooses to do is come and paint false perceptions and create this façade that something mysterious is going on with the finances or that something criminal has taken place. Mayor Perkins stated he is implicating a lot of people, he is saying that Ms. Mitchell is

**BUSINESS ITEMS:**

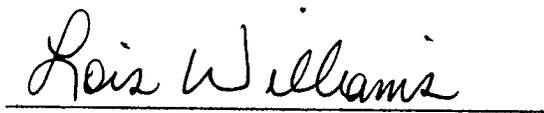
a criminal and that the people in the Finance Department are criminals and he cannot keep doing this. President Evans struck his gavel for order stating this place will be vacated in a few minutes if we cannot be professional and act as adults. President Evans addressed Mayor Perkins stating he would like him to keep his messages limited to the fact that he may not agree with Councilman Cain's terminology and he would appreciate that. Mayor Perkins stated it would really benefit a lot if President Evans would provide Mr. Cain with the same kind of corrective action that he provided with him, because what Mr. Cain does is implicate people as criminals and he continues to be silent about this, eventually some folk will start to believe him. Following an intense discussion, Councilwoman Crenshaw and Councilman Leashore exited the Council Chambers prior to conclusion or adjournment of the meeting, followed by Councilman Randolph at 8:14 p.m. Upon leaving, Councilman Leashore stated they are taking over the Council meeting and President Evans is allowing it. Councilwoman Crenshaw stated President Evans allows certain Council members take over the Council meeting by letting them charge the mayor, accuse them, bring travel gate and anything they want to bring to the Council. President Evans asked if Mayor Perkins could have police officers at the Council meetings from now on.

**ADJOURNMENT**

Due to lack of a quorum present, a motion was made by Councilman Williamson to adjourn this meeting at 8:15 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*