

**MINUTES OF THE SELMA CITY COUNCIL**  
**SEPTEMBER 11, 2006**  
**5:00 P.M.**

Call to Order  
Invocation: Reverend Tom Stacey  
                  Selma Baptist Association  
Pledge of Allegiance  
Roll Call

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, September 11, 2006 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 Randolph, Johnnie M. Leashore, Bennie R. Crenshaw and Jannie M. Venter. Others present were City Clerk Lois Williams, Assistant City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn and City Treasurer Cynthia Mitchell. Councilwoman Geraldine Allen arrived after roll call at 5:27 p.m.

**APPROVAL OF AGENDA:**

After review of the agenda items, the following amendments were made:

A motion was made by Councilman Williamson and seconded by Councilwoman Martin to add item VII to the business items to recognize Mrs. Ivy Harrison for Certified Municipal Clerk. The motion passed with a unanimous vote (show of hands) of the Council.

Additions: Recognition of Certification for Mrs. Ivy Harrison

Deletions: **Mayor's Report items:**

- I. Garbage Trucks Maintenance
- II. Insurance Claims (Police Department Building)
- III. Inmates working within the city

**Business items:**

- III. E-911 Tower
- IV. Council meeting minutes

A motion was then made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve the agenda as amended. The motion passed with a unanimous vote (show of hands) of the Council.

**APPROVAL OF MINUTES:**

After approval of the agenda, President Evans asked for a motion to approve the minutes of August 28, 2006 regular meeting. A motion was made by Councilman Leashore and seconded by Councilwoman Venter to approve the minutes as written. The motion passed with a unanimous vote (show of hands) of the Council.

President Evans also asked for a motion to approve the minutes of September 5, 2006 special called meeting. A motion was made by Councilman Randolph and seconded by Councilman Leashore to approve the minutes as written. The motion passed with a unanimous vote (show of hands) of the Council.

**I. MAYOR'S REPORT (Mayor Perkins was absent from the meeting)**

Attorney Nunn stated there are a few item he wants to present on behalf of Mayor Perkins who is absent and then he would move to the City Attorney's Report: Attorney Nunn stated he would like to ask the following to come forward:

Mrs. Charlotte Griffeth:

**A. Contract for Professional Services - Galbraith and Associates.** Planning & Development Director Charlotte Griffeth addressed the Council stating this contract would be entered into between Galbraith and Associates and the City of Selma to render technical assistance in connection with the implementation of the Community Development Block Grant Program (CDBG) that is in process in East Selma. Mrs. Griffeth addressed the Council attention to the attached scope of services stating there are several areas that really need to be addressed in the city. During discussion, Mrs. Griffeth stated the contract period would commence on September 1, 2006 and would continue for a nine-month period unless otherwise agreed upon by both parties. She further stated that the amount of the contract is \$27,000.00 and no additional compensation for travel expenses would be required. A motion was made by Councilman Cain and seconded by Councilwoman Venter to approve the said contract. A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight ayes and one nay vote. Councilman Williamson cast a nay vote stating he would not vote for anything that has an affirmative action provision in it.

I. MAYOR'S REPORT (Mayor Perkins was absent from the meeting)

Ms. Valeria Jones:

B. Memorandum of Agreement - City of Selma and Ted Quant. Personnel Director Valeria Jones addressed the Council stating a request is being made of the Council for approval of a contract to offer professional development training for sworn police officers. Ms. Jones stated this training would be provided by Ted Quant, who is the director of the Twomey Center Loyola University New Orleans as outlined in the memorandum given to the Council. Ms. Jones further stated the cost would be taken from Personnel's budget in the amount of \$2,310.00. A motion was made by Councilman Leashore and seconded by Councilman Randolph to approve the said memorandum of understanding. Following discussion, a roll call vote was taken and the motion passed with a majority vote of the Council. There were eight ayes and one nay vote. Councilman Williamson cast a nay vote.

Ms. Valeria Jones:

C. Contract - Blue Cross Blue Shield. Personnel Director Valeria Jones addressed the Council regarding the Blue Cross Blue Shield proposed contract for 2007. Ms. Jones stated the proposed 2007 rate is without changes in benefits; however, there is a 4.94% increase in premium due to the escalating costs to Blue Cross Blue Shield in the amount of \$44,220.00. A motion was made by Councilman Leashore and seconded by Councilwoman Venter to approve adoption of the said contract. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

Ms. Valeria Jones:

D. ADECA Contract - Work Force Development. Personnel Director Valeria Jones addressed the Council stating as promotions are granted within the City that allows for a 10% increase in salary, ADECA via Selma CareerLink would allow the City to have reimbursement for 4-6 months of training. Ms. Jones further stated half of this 10% increase in salary goes to the City of Selma and in this particular case the City would benefit by \$5,097.50. A motion was made by Councilman Leashore and seconded by Councilwoman Martin to approve the said contract. Following a brief discussion, a roll call vote was taken and the motion passed with a unanimous vote of the Council.

Attorney Jimmy Nunn:

E. Resolution #R193-05/06 - Amend the Budget to Purchase Police Vehicles. Attorney Nunn stated the Council also have copies of resolution #R193-05/06 to amend the budget to purchase (11) eleven police vehicles by an additional increase in the Police Department Fixed Assets line item (1.6100.430.4) in the amount of \$46,799.00. A motion was made by Councilman Cain and seconded by Councilwoman Crenshaw to approve the said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

II. CITY ATTORNEY'S REPORT

A. Resolution - Alltel Cellular Facility. Attorney Nunn stated the Alltel Cellular Facility is located on top of what we call the BellSouth building on Washington Street. Attorney Nunn stated this issue has come before the City Council on several occasions for co-location of antennas on the existing rooftop mounted tower. Attorney Nunn stated Ms. Martha Hinson, an Alltel representative from Florida is present to answer any questions of the Council regarding this issue. Attorney Nunn stated as per the resolution there are several conditions that have to be met in compliance with the City's Ordinance #COS13-00/01 prior to issuing a special use permit and Alltel has complied with these conditions. Following a brief discussion from Ms. Hinson, a motion was made by Councilwoman Martin and seconded by Councilman Leashore to approve the said resolution. The motion passed with a unanimous vote (show of hands) of the Council.

B. Resignation - David W. Hodo, Selma City School Board. Attorney Nunn stated per letter received in his office, he would like to make the Council aware of the resignation of Dr. David Hodo, as a member of the board of the Selma City Schools. President Evans stated his acknowledgement and stated he would like to refer this issue to the Administrative Committee for review for future criteria or procedures for replacement of a board member.

II. CITY ATTORNEY'S REPORT

C. Uncollected Court Fines - Administrative Committee Update. Attorney Nunn stated the Administrative Committee met earlier this week to discuss two issues; (1) Uncollected Garbage Fees, and (2) Uncollected Court Fines. Attorney Nunn stated the Administrative Committee was informed that in earlier meetings, they have met with Mr. Kevin Eagan regarding his firm, Judicial Correction Services, Inc., Hoover, AL, stating what this firm does is set up office and place individuals fined under a probation period to pay their fine and monitor this period to make sure the fines are paid. Attorney Nunn stated currently the City of Selma does not have a process whereby the assessed cost of court can be paid except in full at the time assessed or the judge would set another hearing about a month or two for this fine to be paid in full. Attorney Nunn stated when this happens, the offenders do not show up again for the court date at which time a warrant for their arrest is issued and the fines are never collected. Attorney Nunn stated the Judicial Correction Services, Inc. is a probation management services whereby offenders report on a monthly basis and fines would be collected. Attorney Nunn stated information has been given to the Council and Mr. Eagan is scheduled to attend the next work session on Thursday, September 21, 2006 at 5:00 p.m. to discuss further details of this service and answer any questions from the Council. Attorney Nunn further stated the good thing about this service is that it does not cost the City anything and the City should see an increase in fines collected and if not satisfied, the City can discontinue the services at any time. Councilwoman Allen stated the uncollected court fines was a part of her Administrative Committee minutes and Attorney Nunn was asked to report on this issue. She stated there was a very lengthy discussion regarding this issue and the recommendation as agreed to by Mayor Perkins was to have Attorney Nunn to identify a collection agency for these fines and to bring this information to the Council for approval of implementation through the Mayor's office as it relates to this collection agency.

Councilman Randolph left the Chambers briefly and returned at 5: 59 p.m.

D. Selma City School Board Consent Decree. Attorney Nunn stated per request of the Council an attempt to schedule a date for a meeting to discuss the consent decree. Attorney Nunn stated Attorney McNeil has spoken with the chairman of the school board and he is available anytime. Attorney Nunn stated his request is that the Council provide two dates that they can meet for about an hour. During discussion, President Evans stated two dates to consider would be October 5, 2006 and October 19, 2006 at 5:00 p.m.

Councilwoman Martin left the Chambers briefly and returned at 6:06 p.m.

E. Liquor License Application - Pit Stop. Attorney Nunn stated a Retail Beer application - Off Premises only and a Retail Table Wine - Off Premises only has been submitted for approval. Attorney Nunn stated if the Council recalls this is a resubmission by Jackie Elaine Newberry Agee for the Pit Stop located on Voeglin Avenue. Following discussion, a motion was made by Councilman Leashore and seconded by Councilman Randolph to place this application on first reading. The motion passed with a majority vote (show of hands) of the Council. There were seven ayes, one abstention and one nay vote. Councilman Williamson abstained from voting and Councilman Cain cast a nay vote.

F. Liquor License Application - Cheers. Attorney Nunn stated a liquor license application has been submitted for approval by Tammy Williams for Cheers located at 705 Broad Street. Attorney Nunn stated this application is for a Lounge Retail Liquor Class II Package store. Following discussion, a motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore to place this application on first reading. The motion passed with a majority vote (show of hands) of the Council. There were seven ayes, one abstention and one nay vote. Councilman Williamson abstained from voting and Councilman Cain cast a nay vote.

Councilman Randolph left the Chambers briefly and returned at 6:18 p.m.

H. Procedures of Alcoholic Beverage Application. Attorney Nunn stated he would like to discuss the procedure that is in place for an application for Alcoholic Beverages. Attorney Nunn stated if the Council recalls the procedure that is in place includes sending requests for inspections to the Building Inspector's Office, the Police Department, the Fire Department and Tax & License; an ad is ran in the newspaper; the Council approves for first reading at Council meeting; the sign is placed at the establishment; and then the Council decides at the next Council meeting. Attorney Nunn stated he discussed with President Evans how to develop a solution whereby the application would know prior to spending an enormous amount of money on an establishment, whether or not the Council intends to approve or deny their application? Attorney Nunn stated he and President Evans discussed altering one or two of the procedures in the application process to go ahead and provide the criminal background check and after the background check, instead of

II. CITY ATTORNEY'S REPORT

going to the other departments listed for inspection, it would come before the Council and the Council would vote subject to the additional conditions being met. Attorney Nunn stated at this point it would then be sent to the Building Inspector's Office, the Fire Department and Tax & License Office. Councilman Leashore he does understand what Attorney Nunn is trying to convey; however, all of this can still be rejected when it comes down to the final approval, which is invested in this Council. Councilman Leashore stated this would give a false impression after all these steps have been taken and there is no opposition and then in the finalization it is still voted down. Councilman Leashore further stated he feels there is already a good procedure in place and these procedures have been working for a number of years. President Evans stated if the Council looks at that application with the understanding that the establishment has met all the requirements except for the inspections, the Council is saying in essence, that if they meet these additional requirements, the Council is voting to place the application on first reading to be approved. Following discussion regarding this process and the ordinance, it was the consensus of the Council to discuss this matter further during the work session prior to the next meeting; it was also the consensus of the Council that under the current circumstances there are no plans to revisit the revision of the ordinance at this time.

BUSINESS ITEMS:

III. UNCOLLECTED GARBAGE FEES

Councilwoman Allen stated the Administrative Committee also discussed the collection of garbage fees and that discussion included how to collect garbage fees with a recommendation by the body present to select an outsource company to collect the fees and Mayor Perkins agreed that he would report on this issue. Councilwoman Allen stated it has been noted through correspondence that a company has been selected and the Council does not have to vote on this matter because it has already been agreed upon in the process. President Evans stated he concurred. Councilman Williamson asked if his recollection is correct that a company from Prattville has been selected to provide this service? President Evans stated that is correct. Councilwoman Allen stated a representative from Franklin Collection Services, Inc. stated the City would be given a collection rate of 30%, meaning they would retain 30% of every dollar collected on behalf of the City. It was clarified by Councilwoman Allen that the City of Prattville uses Franklin Collection Services, Inc. to collect their fees. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to approve the contract for Franklin Collection Services, Inc. to collect the City's garbage fees. Following further discussion regarding the contract, the motions were withdrawn until a copy of the contract can be provided to the Council and this item is tabled until the next Council meeting.

IV. CD-R RECORDING OF MINUTES

President Evans stated there is a question of the CD-R recording of the minutes and the Council should agree that we have had some discussion and concerns about whether or not to move to another level as far as recording of the minutes. President Evans stated the minutes are currently recorded by cassette and the subject now is whether or not to move to the CD-R. Councilman Randolph asked if the Mayor has been notified of this change? President Evans stated the Mayor has been given a copy of the quote as well as Ms. Williams. President Evans stated as of the last work session the Council wants to get Ms. Williams feedback as to where she wants to go with this request and asked Ms. Williams for her feedback. Ms. Williams stated she does not have a comment at this time. Councilwoman Crenshaw stated she feels what happened in the work session when the statement was made that even with or without Ms. Williams's feedback, it was a Council decision; she feels this may have hindered Ms. Williams from responding at this time. President Evans stated he made the statement that ultimately it is the Council decision as to how they want the minutes kept and what procedure to use, with no disrespect to her or anyone else because the quality of our minutes should be reflective of modern day technology and cassettes, in his opinion, are of the past in terms of trying to keep minutes. Following further discussion, a motion was made by Councilman Williamson and seconded by Councilman Cain to use CD-R recording of the minutes. A roll call vote was taken and the motion passed with a majority vote of the Council. There were five ayes and four nay votes. Council members Randolph, Leashore, Crenshaw and Venter all cast a nay vote. President Evans stated it is the consensus of the Council that if this process does not work for everyone involved it would not be used.

**BUSINESS ITEMS:**

**V. RECOGNITION OF CERTIFICATION FOR MRS. IVY HARRISON**

President Evans stated the Council would like to congratulate Assistant City Clerk Ivy Harrison as Councilman Leashore has mentioned to him that she has gone to school for the purpose of becoming certified. President Evans stated the Council commends and congratulates her at this time and asked if she would speak to this matter. Councilman Leashore stated while she comes to the podium, she is also pictured in the August issue of the Journal, she and about seven other Municipal Clerks and Assistant Clerks who have received their credentials, and when he saw this he was very proud to see our very own Mrs. Harrison and he encourages the Council to read it and share the joy that Mrs. Harrison experienced when she received her certificate. Councilwoman Crenshaw stated she would also like to congratulate Mrs. Harrison, she is really proud of her the same as she was when she received her degree and encouraged her to keep moving forward. Mrs. Harrison addressed the Council stating it is truly an honor for her to have become certified as a municipal clerk. She stated she is also very thankful for the opportunity to have been able to serve in the position as Assistant City Clerk as well as the opportunity to attend the classes to become certified. Mrs. Harrison expressed her thanks and appreciation to the Council. Following further discussion, President Evans stated he would like to also acknowledge for the record that Ms. Williams has received her Bachelors degree in Business Administration and working towards her Masters, Ms. Johnson is also taking classes towards receiving her degree, and Mrs. Rudolph has also received her Bachelors degree in Human Resources.

**STANDING COMMITTEE REPORTS**

**RECREATION COMMITTEE - COUNCILMAN SAMUEL RANDOLPH, CHAIRPERSON**

Councilman Randolph stated the Recreation Committee met on September 5, 2006 and discussed the items regarding the bathrooms at Taylor Field, salaries of part-time and full time employees, junior varsity teams' stadium usage and cleanup at the stadium.

**ADMINISTRATIVE COMMITTEE - COUNCILWOMAN DR. GERALDINE ALLEN, CHAIRPERSON**

Councilwoman Allen stated she has already given her report.

**PUBLIC SAFETY COMMITTEE - COUNCILMAN REID CAIN, CHAIRPERSON**

There is no report for the Public Safety Committee.

**COMMUNITY DEVELOPMENT COMMITTEE - COUNCILWOMAN JEAN MARTIN, CHAIRPERSON**

There is no report for the Community Development Committee.

**PUBLIC WORKS COMMITTEE - COUNCILMAN LEASHORE, CHAIRPERSON**

There is no report for the Public Works Committee; however, Councilman Leashore stated he would like to continue to thank Public Works and General Services for the fine work that they do in helping to maintain our city.

**DISCRETIONARY FUNDS COMMITTEE - COUNCILWOMAN CRENSHAW, CHAIRPERSON**

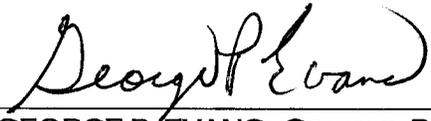
There is no report for the Discretionary Funds Committee.

President Evans stated he would just like to close by congratulating Councilwoman Venter on her 33<sup>rd</sup> Anniversary on yesterday and he knows it was a well turn out for the occasion. Councilwoman Crenshaw stated she concurs. Councilwoman Venter expressed her thanks and appreciation to the Council.

Councilwoman Martin stated she and other Council members were invited and attended an occasion on Sunday morning at the Church Street Methodist Church, which was also well attended by many police officers and fire fighters in uniform, she stated it was a wonderful occasion.

ADJOURNMENT

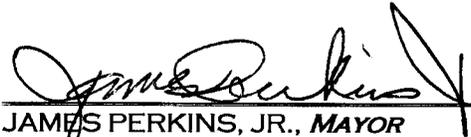
There being no further business to come before the Council, a motion was made by Councilman Leashore, and seconded by Councilwoman Martin to adjourn, and by unanimous consent of the Council, this meeting adjourned at 7:19 p.m.

  
\_\_\_\_\_  
GEORGE P. EVANS, *COUNCIL PRESIDENT*

ATTEST:

  
\_\_\_\_\_  
LOIS WILLIAMS, *CITY CLERK*

APPROVED:

  
\_\_\_\_\_  
JAMES PERKINS, JR., *MAYOR*