

**MINUTES OF THE SELMA CITY COUNCIL
SEPTEMBER 10, 2007
5:00 P.M.**

Call to Order

Invocation: Reverend John Grayson, Pastor
Gospel Tabernacle Church of God in Christ

Moment of Silence
Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, September 10, 2007 at 5:00 p.m.

ROLL CALL

The following members were present during roll call: Council President George Evans and Council members Reid Cain, Jean T. Martin, Geraldine Allen, Johnnie M. Leashore, Samuel Randolph, Bennie R. Crenshaw and Jannie M. Venter. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, Assistant City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Darlene Rudolph. Councilman Williamson was absent from the meeting due to illness.

APPROVAL OF AGENDA

President Evans asked for the approval of the agenda items. A motion was made by Councilwoman Allen, and seconded by Councilman Cain, to approve the agenda as written. **The motion passed with a majority (show of hands) vote of the Council members present. Councilman Leashore abstained from voting.**

APPROVAL OF MINUTES

After approval of the agenda, President Evans asked for a motion to approve the minutes of the August 13, 2007 meeting. A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve the minutes of August 13, 2007. **The motion passed with a unanimous (show of hands) vote of the Council members present.**

President Evans also asked for a motion to approve the minutes of the August 27, 2007 meeting. A motion was made by Councilwoman Martin, and seconded by Councilman Leashore, to approve the minutes of August 27, 2007. **The motion passed with a unanimous (show of hands) vote of the Council members present.**

CITIZENS' REQUESTS

Mrs. Carolyn Bates
Re: Selma Disability Advocacy Program

MAYOR'S REPORT

A. Selma High School – Band Booster Club. Mayor Perkins asked Ms. Bobbi Keith to come forward to address the Council, on behalf of the Selma High School Band Booster Club. Ms. Keith, along with Mr. Willie Prince, expressed their appreciation to the Council for their support to the Selma High School Band during the marching season, and especially during their fundraising efforts during the year, and presented plaques to Council members, to show their appreciation for the support and donations given to the Selma High School *Band of Blue*. Ms. Keith also presented Mrs. Terri Davis with a plaque, for her "special" efforts and support to the Selma High School *Band of Blue*.

B. Resolution – R258-06/07 – Purchase of Eight (8) Police Patrol Vehicles. Mayor Perkins stated he would like to ask Ms. Cynthia Mitchell to come forward to address the Council as it relates to Resolution #R258-06/07. Ms. Mitchell read the said resolution in its entirety, as it relates to the purchase of Eight (8) Police Patrol Vehicles. Ms. Mitchell stated Moore-Stewart Company was the only responsible bidder, in the amount of \$247,600.00, and that the purchase will be made through a lease agreement with Ford Motor Credit Company. During discussion, Mayor Perkins asked Council for favorable consideration of said Resolution #R258-06/07. A motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve said resolution in the amount of \$247,600.00, using funds from the Police Department's Unused Salaries Account (1.6100 103.0) and transferring to the Police Department's Lease Purchase Equipment line item account (1.6100 430.91), for the initial lease payment due on September 28, 2007 of \$55,000.00, for Eight (8) Police Vehicles. **A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were seven ayes and one nay vote. Councilman Cain cast a nay vote.**

MAYOR'S REPORT

C. Tax Revenue Enhancement Agreement – Revenue Administration (Sales Tax) (AlaTax). Mayor Perkins stated it is time to renew the Agreement with AlaTax, which has not changed from the prior year. Mayor Perkins asks Council favorable consideration of said Agreement. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve said Agreement. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

Tax Revenue Enhancement Agreement – Business License Discovery/Recovery (AlaTax). Mayor Perkins stated there were two (2) Agreements attached, one for the Sales Tax (above) and this one represents the Business Licenses. A motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve said Agreement. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

D. Police Department – Incident Report. Mayor Perkins stated to Council, that they should have before them the Police Incident Report Summary by Ward for their review.

E. Public Hearings – Proposed Bond. Mayor Perkins stated to Council that they are aware that they have been talking about the possibility of a bond for this coming fiscal year. Mayor Perkins further stated to Council that they should have before them a set of proposed dates for public hearings; September 27, 2007 at 5:00 p.m. (Council Chamber), October 4, 2007 at 5:00 p.m. (Convention Center), and October 22, 2007 at 5:00 p.m. (Council Chamber). Mayor Perkins stated it is his desire that they get a chance to sit down and do some comprehensive kind of work prior to the first date of September 27th, so that they will be on one accord as to the direction they need to take. Mayor Perkins also stated to Council that he wants the public to be aware that he and the Council want full public participation in the process. Mayor Perkins further stated he is aware that October 22nd is a Council meeting date, and if the Council has no problem with that, he would like to have a public hearing just before the Council meeting on that date.

F. Request for Information and/or Service. Mayor Perkins stated there are a couple of items that have been requested for the Council, and that one had to do with a ditch cleaning on Tippett, LaForet and Bell Rieve Drive. Mayor Perkins further stated he did receive a follow-up report from Mr. Hicks indicating that the work was done on September 6, 2007. Mayor Perkins stated there was a request for information specific to TrustBuild, and that all Council members were provided with a copy of the breakdown by Ward.

G. Water Board - Issue. Mayor Perkins stated in the last Council meeting there was some discussion about the Water Board situation, in dealing with the RV Park with Mr. Garza. Mayor Perkins further stated that he had asked Mr. Ray Hogg, the Engineer for the Water Board, to come to the Council meeting to address the Council, to provide the public with an update on the status of that. Mr. Hogg addressed the Council, and stated he noticed that there were some comments made at the last Council meeting, and he does take a little exception to them because they were not entirely correct. Mr. Hogg further stated that he reported at the Water Board meeting two weeks ago, that they found out that the highway permit from the Alabama Department of Transportation which was the hold-up had been mailed on Monday, two weeks ago today, to the Water Board, attention of Mr. Johnnie Leashore as Chairman, and was received Thursday or Friday of that week. Mr. Hogg stated the Mayor as Superintendent of the Water Board has staff meetings on Thursdays that he attends, and on this past Thursday, this issue was discussed and since the Water Board is going to do it, they are going to solicit for bids and that should take approximately two weeks, and hopefully tomorrow the bid packages will be ready. Mr. Hogg further stated he discussed this issue this afternoon with Mr. Garza, and explained all of this to him. Mr. Hogg also stated it was not the Water Board that was holding this up; they had to get a bond, and the insurance company in their normal process, took two weeks there. Mr. Hogg stated if he was not mistaken this was finally approved at the Water Board's May meeting, which would have been the 3rd Monday in May, and they authorized him to proceed, which was done in the normal process, and they now have everything that they need. President Evans thanked Mayor Perkins for providing the Council with this report and update.

CITY ATTORNEY'S REPORT

A. Resolution - #R250-06/07 - Police Department – Multifunction Digital Copier. Attorney Nunn stated this resolution is being presented to the Council concerning the bid proposal on a Multifunction Digital Copier for the Police Department. Attorney Nunn further stated Ray Davis & Company was the lowest responsible bidder, in the lease agreement amount of \$382.95, for Sixty (60) Months, Fair Market Value. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

B. Resolution - #R251-06/07 - Police Department – Uniforms. Attorney Nunn stated this resolution is being presented to the Council concerning the bid proposal on uniforms for the Police Department. Attorney Nunn further stated McCain Uniform Company was the lowest responsible bidder, in the amount of \$1,231.00, per complete unit for a Policeman, School Crossing Guard and Jailer Uniform. A motion was made by Councilman Randolph, and seconded by Councilwoman Leashore, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

CITY ATTORNEY'S REPORT

C. **Resolution #R252-06/07 – Fire Department – Uniforms.** Attorney Nunn stated this resolution is being presented to the Council concerning the bid proposal on uniforms for the Fire Department. Attorney Nunn further stated McCain Uniform Company was the lowest responsible bidder, in the amount of \$399.00, per complete unit for a Fireman. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Venter, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

D. **Resolution #R253-06/07 – Building Inspector's Office – Uniforms.** Attorney Nunn stated this resolution is being presented to the Council concerning the bid proposal on uniforms for the Building Inspector's Office. Attorney Nunn further stated G & K Services was the lowest responsible bidder, in the amount of \$4.45, per complete unit. A motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

E. **Resolution #R254-06/07 – Public Work's Department – Uniforms.** Attorney Nunn stated this resolution is being presented to the Council concerning the bid proposal on uniforms for the Public Work's Department. Attorney Nunn further stated G & K Services was the lowest responsible bidder, in the amount of \$14.90, per complete unit. A motion was made by Councilman Randolph, and seconded by Councilwoman Venter, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

F. **Resolution #R255-06/07 – Public Buildings' Department – Uniforms.** Attorney Nunn stated this resolution is being presented to the Council concerning the bid proposal on uniforms for the Public Buildings' Department. Attorney Nunn further stated G & K Services was the lowest responsible bidder, in the amount of \$6.76, per complete unit. A motion was made by Councilman Randolph, and seconded by Councilman Leashore, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

G. **Resolution #R256-06/07 – Cemetery Department – Uniforms.** Attorney Nunn stated this resolution is being presented to the Council concerning the bid proposal on uniforms for the Cemetery Department. Attorney Nunn further stated G & K Services was the lowest responsible bidder, in the amount of \$3.90, per complete unit. A motion was made by Councilman Randolph, and seconded by Councilman Leashore, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

H. **Resolution #R257-06/07 – Recreation Department – Uniforms.** Attorney Nunn stated this resolution is being presented to the Council concerning the bid proposal on uniforms for the Recreation Department. Attorney Nunn further stated G & K Services was the lowest responsible bidder, in the amount of \$3.90, per complete unit. A motion was made by Councilman Randolph, and seconded by Councilman Leashore, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

I. **Liquor License Applications.** Attorney Nunn stated the following liquor license application is asked to be approved to be placed on 1st Reading by the Council: **John Lamberth (Playland Bowl) [Transfer] 3002 Citizens Parkway.** A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to place the said liquor license on 1st Reading. **The motion passed with a unanimous (show of hands) of the Council members present.**

J. **Ordinance #O122-06/07 – Conveyance of Property – Johnathan Daniels Community Development Corporation (East Selma Property).** Attorney Nunn stated to Council if they recall Ordinance #O122-06/07 was placed on 1st Reading during the last Council meeting, and that this property in the vicinity of the East Selma Pond Project, there is a proposed development for residential homes by the Johnathan Daniels Community Development Corporation. A motion was made by Councilman Cain, and seconded by Councilwoman Martin, to approve said Ordinance #O122-06/07. **The motion passed with a majority (show of hands) vote of the Council members present. There were seven ayes and one abstention. Councilwoman Allen abstained from voting, stating she is a member of the Johnathan Daniels CDC Board.**

K. **Resolution #R248-06/07 – Mamie Haile – Retirement and Possession of Weapon and Badge.** Attorney Nunn stated Resolution #R248-06/07 represents Officer Mamie Haile who served as an officer of the Selma Police Department for 14 years, and that she retired, in good standing, on disability on September 20, 2005. Attorney Nunn further stated Officer Haile desires to retire her weapon, and retain possession of her weapon and badge upon her retirement, and asks Council to take some action on this matter. A motion was made by Councilman Cain, and seconded by Councilwoman Martin, to approve said Resolution #R248/06/07. **The motion passed with a unanimous (show of hands) of the Council members present.**

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L. **Resolution #R249-06/07 – Clinton Peeples – Retirement and Possession of Weapon and Badge.** Attorney Nunn stated Resolution #R249-06/07 represents Officer Clinton Peeples who served as an officer of the Selma Police Department for 15 years, and that he retired, in good standing, on disability on June 30, 2006. Attorney Nunn further stated Officer Peeples desires to retire his weapon, and retain possession of his weapon and badge upon his retirement, and asks Council to take some action on this matter. A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve said Resolution #R249/06/07. **The motion passed with a unanimous (show of hands) of the Council members present.**

M. **Resolution #R259-06/07 – Condemned Property – 2529 Griffin Avenue.** Attorney Nunn stated Code Enforcement Officer Darryl Moore has reported via Resolution #R259-06/07 that the listed property is classified as a “dangerous building” and a “nuisance” and that the City Clerk is instructed to send a certified letter to correct this nuisance. A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve said Resolution #R259-06/07. **The motion passed with a unanimous (show of hands) of the Council members present.**

N. **Big Star Tavern.** Attorney Nunn stated to Council that they had requested him to research three or four issues, and that those issues were with loud music, staying open until 2 and 3 a.m., and juveniles being allowed to enter into the Club. Attorney Nunn further stated he had attempted to contact Mr. Barber’s office, (ABC Board) but that he is out of the office until September 14th. Attorney Nunn stated after he has met with Mr. Barber, he will prepare an update on this item at the next Council meeting.

O. **Hollman’s Case - Update.** Attorney Nunn stated he has not received an update as it relates to this matter as of yet.

BUSINESS ITEMS:

I. **RULES AND PROCEDURES FOR GOVERNING THE DELIBERATIONS AND MEETINGS OF THE CITY COUNCIL (SECTION XXXIII)**

President Evans stated there has been a lot of discussion on this item, and he wanted to see if Council would like to discuss, and possibly place this item on 1st Reading tonight. President Evans further stated that they have had a lot of discussions about their meetings being adjourned for actions of any of them on the Council, including the President or any Council Member, and the rationale of adjourning a meeting being the only thing that is affordable to them is just not adequate, in his opinion. President Evans stated the question is whether or not they are ready to “put some teeth” into things of importance as it relates to them as Council members, and what happens if a citizen is out of control and disruptive and that citizen has to be asked to leave or escorted out. President Evans further stated it should be something in place that governs all of them. President Evans stated he made a note of something and would like to share with them to get their thoughts on, and read . . . “any Council Member or Council President that refuses to leave the Council meetings and of course after being requested to leave by a police officer shall be fined; this will be the 6th or 7th step if that person chooses not to leave after being asked to be escorted out by a police officer): if the Council has to adjourn a meeting because of disruption of Council Member or Council President, then shall be fined as follows: 1st offense, \$500.00; 2nd offense, \$500.00; and if it happens again in the event a Council Member or Council President is subject to fines shall be held liable to pay fines within five (5) days of the offense. Payment shall be payable by cash or money order and shall be submitted to the City Treasurer. If the Council Member or Council President fails to pay the prescribed fine within ten (10) days his or her paycheck will be held until the fine is paid. The last part of that is any Council Member or Council President that commits a 3rd offense of Section XXXIII herein shall be requested to resign or be impeached initiated by the citizens within the Council Member’s Ward.” President Evans stated those are some areas that he is advocating or suggesting to them as Council Members to look at, and modify to the extent that they think is necessary, but he thinks they have to be held accountable since they hold their citizens accountable. President Evans further stated he recommends these to them as a fine of \$500.00 for the 1st offense, \$500.00 for the 2nd offense, and the 3rd offense, being that you will be asked to resign from the Ward in which you serve, or impeachment procedures will be initiated for that person. President Evans stated he knows that this may be harsh to some of them but he thinks it is equally as harsh for them to have to adjourn a meeting when they can not conduct business for whomever disrupts a meeting, and this will be something that governs them all, and he would like to hear feedback from the Council as it relates to this. President Evans asked Council if there were any questions or comments, and if not, he would ask Attorney Nunn to draft something to be discussed at their next meeting, so that they can vote it up or down in terms of actions that they are going to use to govern their Council meetings so that if in fact they have problems like they have had before then they can deal with it from the standpoint of following those procedures and steps accordingly. Councilwoman Crenshaw stated to President Evans that she would like to make a comment, and stated, “I hear your guidelines but I personally feel that what first of all needs to be done is a dialogue between Council Members here on this Council. If you really look at it, there is a problem, Number One, and I would like to see this done . . . that there is not a very clear understanding of parliamentary procedure by this Council, and it should start with the President. The way we are doing things now – two examples from tonight, you only speak twice, and you stay “on point”, and I think you did a very good job with that, and I think that if we had had that going on, as in the last two meetings I really do feel that we could have conducted business so much better and I really do appreciate the fact that you are now really following that procedure. On the other hand, we can put all the rules we want to in place, there is something in the Constitution that is called your 1st

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Amendment right to speak, and if that particular incident at our August 13th meeting said that I was given "the floor" to speak and I spoke, then no rules that you make or anybody else make, would take that right from me. Now there is a difference, being outwardly spoken, and then having "the floor". So, I would think that this Council needs to come together and discuss what is most important for this Council, and that is following parliamentary procedure, and I do think that if we do that; if we go back and research ourselves, go back and look at some of those tapes we would find that a lot of those things were not done. So, you can put together whatever you like, I don't mind that. But, I do think the first thing we really need to do is take a look at ourselves and how we can effectively handle this Council with parliamentary procedures, and also use of the Constitution, the right to speak, and not be censored by anyone. And, I will not be censored by anyone; if I have the right to speak, I will do that. If I am out of order, then I need to be called into order but once I am given "the floor" on this seat that I am sitting in, I am going to use that right to do that. And, I just wanted to make my point, and make my statement concerning that". President Evans thanked Councilwoman Crenshaw for making her comments. Councilman Leashore stated to President Evans, "Mr. President, I want to commend you; the last Council meeting, and even this meeting, you have made a gallant attempt to facilitate our meeting as it should be. Mr. President, if you would go back and look at my letter to you dated April 1, 2005, you will clearly know the essence of our problem that has been long running up here on this Council. And, as long as you continue to facilitate in the manner that you have been doing for the last meeting and this meeting, I think the discord that has occurred up here will not continue to be. So, one thing is a fact, Mr. President, we are not going to be "muzzled"; we are not going to have the gavel when there is a political position that you do not agree with me on that you want to use the gavel against me; it just is not going to happen with me. So, just go back and refer to my letter dated April 1, 2005, and I think you will be clear on where I stand." President Evans thanked Councilman Leashore for his comments. President Evans stated they have had a lot of flexibility, "I've tried to be very flexible, some times you cannot be flexible, sometimes kindnesses are taken for weaknesses", and as a result of that, things happen. President Evans further stated, "let me remind everybody; we adopted Robert's Rules of Order for our guidelines for conducting our meetings. The only thing that I am going to say to you, and suggest to you, is this, Robert's Rules of Order says that, and if I am wrong, someone can correct me, if a motion is on the floor, let's say hypothetically we're going to vote as a Council to give Attorney Nunn a new car, we have seconded it, and now we are in the form of discussion, now if we start discussion about that car, that's fine, we'll hear each other two times. But, let's say hypothetically Councilman Cain decides that he wants to talk about the bridge, "what are we going to do about fixing the bridge" or some other topic that has no relationship to Attorney Nunn's car, then you are out of order, according to Robert's Rules of Order, not by George Evans' order. Robert's Rules of Order says the discussion has to pertain to the motion, and when you choose to deviate from that, then you are in fact out of order. And, that is what the situation was initially, that's what happened. We got into a discussion, I think on the Water Board issue, and we got into some other discussion about Jimmy Lynch, and I think something related to Ms. Venter, calling Ms. Venter 'ignorant'; that had nothing to do with the motion. So, my purpose for that was saying that you were out of order, and that's what I dealt with. My point is, I don't have a problem with anyone speaking, as long as we speak to the motion that's on the floor at the time." Councilwoman Crenshaw stated to President Evans, "I agree with you wholeheartedly. You did say at one time, did I ever say something that was untrue, or said anything personal to a person, I think that night, the "on-point" was, and I became very upset when the statement was made, 'something must be going on over there' which had nothing to do with the statement, it was out of context, and that questioned my integrity about possibly wrongdoing and I felt something real strong about that. And then when the other statement was made, 'somebody wants the money', that had nothing to do with, at that time, they became personal attacks and they were geared towards Water Board members. So, I think if that gavel had been hit on 'something must be going on over there', then I would have known that we were definitely on task; if that gavel had been hit when 'somebody wants the money' statement was made that you are out of order, we would have definitely been on task. If it had been said to Mr. Randolph when he had made the statement about the Water Board and people saying different things about what went on over there, I would have said we are on task. But, when I started to explain what I needed to explain in order to get to the point where we are now with this Water Board, I was gavelled out of order, and that was wrong for me because then I was censored and no one else was. So, at that point, Mr. President, I just chose not to be disrespectful to you because if you look at the tape I was basically talking to the audience, I meant to get that point out; my point of how we got where we are with this Water Board, but I was not able to do that. I did get some of my points in because I spoke over your gavel, which I thought was totally unfair to me so I just want to say that to you Mr. President that at any time if we are treated fair and equitable then I don't think we feel the need to be defensive, because I felt the need to be defensive because my integrity was in question, and the only way I felt to fight was that the Chair wasn't fighting for me, so I had to fight for myself. So, therefore, I spoke out and I cannot assure you that if I'm not given that opportunity again that I will not do the same thing because I do have a right to speak; that is through the Constitution. So, Mr. President, whatever you have to put in place, that's fine but I do say we definitely need to go back, look at ourselves, have more communication with each other on this Council, meet together, talk together, tell each other how we feel, and then come back and see can we run this Council for the people; I really want to do that for all people." President Evans stated to Councilwoman Crenshaw, "Ms. Crenshaw, I hear you loud and clear and I'll meet you half-way on everything you said here, in terms of us trying to meet, discuss and talk, and I'll do the best of my ability to try not to show any partiality one way or the other, if that's what I've done. I do apologize to you and every other Council Member and to our citizens for that but nevertheless I will certainly work hard on trying to improve my means of, and my way of conducting business; I have no problem with that all, and will do whatever I have to do for us to try to come together as a group and work towards that, and be sensitive to how we respond to one another, and communicate our feelings." Councilman Leashore stated to President Evans, "Mr. President, you made mention of Robert's Rules of

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Order, and the only reason I'm bringing this is up is because you opened up that door; . . . and this is out of Robert's Rules of Order, Newly Revised, 10th Edition 302, and it talks about offenses occurring in a meeting and it says . . . "in dealing with any case of disorder in a meeting the presiding officer should always maintain a calm, deliberate tone although he may become increasingly firm if a situation demands it. It also further reads . . . "under no circumstances should the Chair attempt to drown out a disorderly member either by his own voice or the gavel or permit himself to be drawn into a verbal dual if unavoidable, however, proper disciplinary proceedings to cope with immediate necessity can be conducted while a disorderly member continues to speak". Councilman Leashore further stated, "what I'm conveying is that the gavel, Mr. President, and I'll be the first to admit that the gavel should be respected but at the same time the gavel needs to acknowledge the authority of an individual Council person once they have been given the floor to continue to dialogue about what their position is, irrespectable of whether the Chair agrees with it or not, then the gavel should not be used". President Evans thanked Councilman Leashore for his comments, and stated, "as I've said before we'll try to work on that, and I will say to each Council Member, if we're going to adopt Robert's Rules of Order, or we're going to modify and "tweak" it, I'd like to know to what extent it's going to be "tweaked or modified" because Robert's Rules of Order says point blank, if a motion is on the floor, we're have to speak to that." President Evans also stated that they will meet and talk, "brainstorm", and find something that they can live by, and work with so that this will not happen again, and they can conduct business. President Evans asked Council to study what has been proposed, and at the next meeting, decide on something that they can agree on as a Body to stand by, and be accountable. Councilman Cain stated to President Evans, "Mr. President, I think we need to give credence and credit to our citizens for holding us accountable, thank you all for being here, and holding us accountable. Thank you." President Evans stated he appreciates all of the comments that have been made by everybody, and that they will continue to work on this.

II. WILSONPRICE INVOICE - BREAKDOWN

President Evans stated he had had a chance to meet with Ms. Cynthia Mitchell, and she has set up a meeting for he and Council members to be present for a telephone conference for 11:00 a.m., on Wednesday, September 19th, to talk and try to get this bill resolved, in terms of a breakdown of how they arrived at the figures. President Evans further stated he welcomes anyone who can be there, to feel free to come and be a part of that telephone conference.

III. STOLEN MILLION DOLLARS - UPDATE

President Evans asked Councilwoman Crenshaw to address this issue. Councilwoman Crenshaw stated they talked about this during the Work Session. Councilwoman Crenshaw further stated it was discussed that the Council would ask Attorney Nunn to make a request to the Court to find out what he can as far as the status of these individuals. Councilwoman Crenshaw asked Attorney Nunn if he would make a request to the Court to get those persons in, in an effort to look at their financial status. Councilman Leashore stated he thinks the proper request would be to ask Attorney Nunn to go back to the Court, and ask for a modification of the Decree that the people found guilty of embezzlement to order because their resources may have increased since that time, and if so, they would want additional, higher funds to pay for restitution. Councilwoman Crenshaw asked President Evans if this request needs to be made a matter of record, in the form of a motion that the Council will vote to ask the Attorney to seek this information, or what does he think is in order at this time. President Evans stated to Council that based upon what Councilman Leashore stated, we ask for a modification of the current means of payment, and his only question would be to the Council Members in terms of that, is that in order for them to request a modification they we ought to be able to have evidence to reflect that there has been an increase of income for these individuals in order to have a modification. Councilman Leashore stated the purpose of the court proceedings would be to determine what their resources are. President Evans stated he believes in order for the Court to change their decision they must have evidence; the Judge is not going to go out and seek that information, and they have to present evidence that these individuals are making more money now, or have more property now. Attorney Nunn reminded the Council that they had talked about hiring an investigator to investigate where these individuals are located, and what properties they have at this time. Attorney Nunn was asked to research this issue further, and report his findings back to the Council, and they can then move forward on this.

IV. NOISE ORDINANCE

President Evans stated as they heard in their Work Session last week, at one point the noise had declines somewhat, however, they found out over the Labor Day weekend, they turned it on, and he has spoken with some citizens who feel that the noise problem has gone on beyond the weekend. Councilwoman Venter stated she feels the noise is much better in her Ward, but sometimes it has been known to start back up. Councilman Leashore stated he feels the citizens do not believe they are serious about eradicating the noise, and he feels the PSA's that they did really had an impact, and they are still missing five PSA's from his colleagues, and respectfully asks that they take the time out and go down to WHBB and cut the PSA's. President Evans stated he realizes Chief Martin, who is here tonight, and all of the other Police Officers, are working on, and addressing those concerns that have been mentioned here tonight. President Evans further stated the Council Members and the citizens need some help as it relates to noise being abandoned, and other

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things such as, citizens hanging out on the blocks, and any help that they can get from the Police Chief and the Police Officers would be appreciated.

V. CITY BUDGET – FY 2007-2008 - UPDATE

President Evans stated it was discussed that the FY 2007-2008 Budget needs to be approved at the last Council meeting this month, and that they need to approve it before the October meeting. President Evans further stated any suggestions that they may have as it relates to the Budget, that it needs to be passed on to Mayor Perkins or to him, so that it can be addressed at their next Work Session, and hopefully have it cleared up by the next Council meeting.

VI. COST-OF-LIVING ADJUSTMENT FOR RETIRED CITY EMPLOYEES (AMOUNT)

President Evans stated they have had a lot of discussion as it relates to this matter, and after talking with Ms. Cynthia Mitchell she stated it would cost the City \$70,000.00, based upon a 4% cost of living adjustment, if they were to do that. President Evans further stated based on the discussions that they have had they do not feel that they can do it this year, but maybe it can be considered for next year. Councilwoman Crenshaw stated to President Evans, that she wanted to make a statement concerning that, and it was her understanding that on last year they gave 4%, and she wanted to state that it will not be because they can not find the money for a raise, but that she prefers to say that inasmuch as they did give them one last year, they cannot say in 2008, but possibly in 2009, they may be able to get another cost-of-living adjustment, and she wanted to make it clear on her behalf; and for clarification purposes, she wanted to state that it's not because they can't find the money, because it's a possibility that they may finance something else and they don't want it to be said that they could not find the retirees a salary or a raise. President Evans stated that was good clarification, and thanked Councilwoman Crenshaw for stating that comment.

VII. SECOND PUBLIC HEARING

President Evans stated to citizens who are listening on the radio, as well as, the citizens who are here, that it is critical and very important that everyone please show up for the next public hearing that is scheduled for next Monday, September 17th, at 6:00 p.m., in the Council Chambers, to give them feedback on an elected vs. appointed school board. Councilman Leashore asked President Evans if they can also allow the citizens that attend that meeting give them some feedback as to whether or not their desire for the Council is to move forward with filling the vacancies on the School Board at this time. President Evans stated that can be added to the public hearing, to get feedback on both items for discussion. President Evans again encouraged everyone to please come and be a part.

VIII. SICKLE CELL FUND

President Evans stated this item will be continued until the next Council meeting.

IX. NATIONAL INCIDENT MANAGEMENT SYSTEM DISASTER PREPAREDNESS TRAINING (NIMS)

President Evans stated he has been asked to consider September 19th, as a date for a four-hour training that they as a Council has to attend. President Evans further stated the suggested time is at 5:00 p.m. According to Ms. Valeria Jones, this is mandatory training through FEMA.

X. STREET SWEEPERS

Mr. Hicks addressed the Council, and gave a report of how the schedule is normally done throughout any given normal week, in terms of when they heavy traffic areas are done, as well as, the lighter traffic areas. President Evans thanked Mr. Hicks for providing this information to the Council.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE – Councilman Leashore, Chairperson

No Report. (Councilman Randolph stated he wanted to congratulate Michael Johnson, from Selma, who now plays for Georgia Tech, and he is doing well over there. Council concurs.)

ADMINISTRATIVE COMMITTEE – Councilman Dr. Cecil Williamson, Chairperson

No Report.

PUBLIC SAFETY COMMITTEE – Councilwoman Dr. Geraldine Allen, Chairperson

No Report.

COMMUNITY DEVELOPMENT COMMITTEE – Councilwoman Bennie Ruth Crenshaw, Chairperson

Councilwoman Crenshaw stated at their last Council meeting she mentioned “National Neighborhood Day”, and on Sunday evening, September 16th, at 4:00 p.m., (Performing Arts Center) they are going to congratulate those in their Wards who are really keeping up their homes. Councilwoman Crenshaw invited everyone to come and help celebrate, and other Council Members are encouraged to attend and help celebrate their Wards, as well. Councilwoman Crenshaw also stated that September 16th is actually the day of “National Neighborhood Day”.

PUBLIC WORKS COMMITTEE – Councilwoman Venter, Chairperson

No Report.

DISCRETIONARY FUNDS COMMITTEE – President Evans, Chairperson

No Report.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

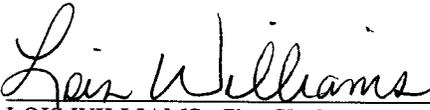
ADJOURNMENT

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 7:23 p.m.



GEORGE P. EVANS, *Council President*

ATTEST:



LOIS WILLIAMS, *City Clerk*

APPROVED:



JAMES PERKINS, JR., *Mayor*