

MINUTES OF THE SELMA CITY COUNCIL MEETING HELD ON MONDAY, JUNE 11, 2001

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, June 11, 2001 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, Samuel Randolph, Benny L. Tucker, Bennie Ruth Crenshaw, and James Durry. Others present were Mayor James Perkins, Jr., City Attorney Jimmy Nunn, City Clerk Jackie Smith, and the Mayor's Administrative Assistant Sherri James. The Reverend Nathaniel Holloway 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. There being no additions to the agenda, on motion made by Councilwoman Sewell and seconded by Councilwoman Tucker the agenda was approved as prepared.

President Evans asked if there were any additions or corrections to the agenda prepared for the June 11, 2001 meeting. President Evans asked that the agenda be amended to move Carl C. Morgan, Jr. from the Citizens Request List to a Business Item. There being no other amendments to the agenda, on motion made by Councilwoman Sewell and seconded by Councilwoman Martin the agenda was adopted as amended. President Evans asked if there were any additions or corrections to the minutes of the May 29, 2001 Council meeting. There being no additions or corrections to the minutes, on motion made by Councilwoman Martin and seconded by Councilman Sexton, the minutes were approved as recorded.

I. MAYOR'S REPORT

A. Sales Tax Report. Mayor Perkins informed the Council that the monthly sales tax report would be presented at the next Council meeting because the second sales tax check has not been received. Mayor Perkins asked the Finance Director to initiate a call to the State Department of Revenue and check on the status of the second check. The sales tax report will be presented at the next Council meeting.

B. Riverfront Market Association Agreement. Mayor Perkins asked the Council to approve the execution of an agreement between the City of Selma and the Riverfront Market Association. The Riverfront Market Association has agreed to donate \$100,000 as incentive matching funds for redevelopment on Water Avenue; specifically the Phoenix Building located 1217 Water Avenue. The awarding of the incentive matching funds must meet the same criteria as previous Alabama Historical Commission programs. Mr. Elizabeth Driggers explained the City is not obligating any funds or in-kind services but developers would be required to put up funds of their own if they are interested in redevelopment of the subject property.

C. Condemned Structures. Mayor Perkins presented a list of ten structures that has been identified by the Building Inspector as being in unsafe condition. Attorney Nunn has reviewed the codes and developed a nine-step process for the demolition of condemned structures. Mayor Perkins stated after thirty-one days, property could be demolished if owners have not remedied the situation. Councilwoman Sewell asked that all measures be taken to notify absentee landlords before the demolition process. Mayor Perkins ensured the Council that due process would be provided to all property owners. After the property owners have been given their due process, a resolution will be brought to the Council giving final consent to demolish the structures in accordance with the laws established.

I. MAYOR'S REPORT

D. Waiver of Building Permit Fee for Morgan Academy. Mayor Perkins stated at the May 14th Council meeting Councilwoman Franklin stated it was a precedence of the Council to waive building permit fees for schools and the Council voted to waive the building permit fee for a practice gym at Morgan Academy. According to information received from the Building Inspector Office, the Selma Public School System has purchased building permits in 1999 for renovations to school buildings. Mayor Perkins recommended the Council take some type of action regarding this matter so as not to be bound by this vote in the future. Councilman Sexton stated that a private contractor who included the costs of building permit fees in his bid for renovations to the schools. The renovations for Morgan Academy are being done by a non-profit organization and with volunteer fundraising. President Evans recommended no action be taken on the waiver of the building permit fees for Morgan Academy but that the entire process by which building permit fees are waived be revisited.

E. Wireless Communication Facilities. Mayor Perkins presented the Council a letter from Mr. Larry Vannoy of Schafer Wireless Technologies and a proposed contract for review and discussion. Schafer Wireless Technologies is proposing to provide the City of Selma technical review and professional advice prior to the implementation of a telecommunications tower ordinance. Mayor Perkins suggested a work session be held to work out the details of this matter. President Evans stated this matter would be addressed at the next work session.

F. Selma Police Department Budget Amendment. Mayor Perkins presented the Council with a memo from the Selma Police Department requesting a budget amendment in the amount of \$37,000 for maintenance contracts that were inadvertently left out the budget. Mayor Perkins stated, upon review, it has been determined that the items listed on the memo were included in the budget, however, the maintenance contract for New World Systems software was not included in the budget. Mayor Perkins further stated that the City is under obligation to make a \$50,000 payment to the Dallas County Commission under the City-County jail project prior to July 1, 2001 that is also not included in the budget. Mayor Perkins asked that this matter be delayed until further review.

G. Summer Youth Employment Initiative. Mayor Perkins informed the Council that the Summer Youth Employment Program begun Monday, June 4, 2001 with a 12-hour orientation and job training workshop. The workshop took place at the Carl C. Morgan Convention Center for three days. There are a total of seventy-one participants at thirty-one worksites with a total budget of \$59,640.

H. Alabama Power Company Foundation Grant. Mayor Perkins introduced Mr. Gordon Martin and Mr. Billy Atchison of Alabama Power Company. Mr. Atchison was present at the Council meeting when the Mayor introduced the Summer Youth Employment Initiative to the Council and asked how could Alabama Power Company assist in making the project a success. Mr. Atchison and Mr. Gordon was instrumental in securing \$15,000 in funds from the Alabama Power Company Foundation. A check in the amount of \$15,000 was presented to Mayor Perkins on behalf of Alabama Power Company to assist with funding for the youth employment project. The Mayor and Council thanked Mr. Atchison and Mr. Gordon for their assistance in making this project a success.

I. 2001-2001 Budget Process. Mayor Perkins informed the Council that the Finance Director will lead the 2001-2002 budget process and will provide a draft copy of the budget to the Council for review and recommendations.

J. Department Head Appointment Power Ordinance. Mayor Perkins asked President Evans to reserve his right to reappear before the Council and present an ordinance contingent upon requests made by Council members. President Evans concurred with Mayor Perkins.

II. CITY ATTORNEY'S REPORT

A. Resolution to Engage Attorneys for Friends of Forrest Lawsuit. Attorney Nunn informed the Council that he is in the process of preparing a resolution engaging the services of Gamble, Gamble and Calame and J. L. Chestnut, Jr. as attorneys to defend the City of Selma in the lawsuit filed by the Friends of Forrest, Inc.

B. Attorney General Opinion – Payment of Legal Fees. Attorney Nunn informed the Council that the Attorney General Office has not rendered an opinion on the payment of legal fees for an employee to retain an attorney to defend him or her at a Personnel hearing. Attorney Nunn stated he expects a respond by early next week.

C. Agency Contracts. Councilwoman Sewell stated she has received several calls regarding the agency contracts and requested Attorney Nunn streamline the contracts and reports required by the agencies that the City contracts with. Attorney Nunn stated since the contracts are already in place, future contracts will only be amended. Attorney Nunn also stated that most agencies are only required to report quarterly compliance to hold them accountable for the funds they receive.

III. CARL C. MORGAN, JR. LIASION REPORT

Mr. Carl C. Morgan, Jr. addressed the Council by presenting his monthly report of activities with which he serves as liaison. The following is a brief synopsis of Mr. Morgan's report.

1. Incinerator Project – Mr. Morgan stated that mandatory garbage pick-up would be instituted statewide in the near future. Mr. Morgan stated the group has been working with Senators and Congressmen who are working with delegates to secure funds for fiscal year 2001-2002 and all efforts are being made to locate this facility in the Maplesville area.
2. RC&D – Mr. Morgan stated the Farm Bill is re-written every five years and officials are working with Congressman Hilliard to re-write this bill.
3. Cahawba Park – Mr. Morgan informed the Council that Cahawba Park would benefit from the \$6 million windfall designated to the Historical Parks Association. The Nature Trail has been developed and will officially open on June 28th.
4. Farmers Market – Mr. Morgan informed the Council that the Dallas County Farmers Market is currently open on Thursday, Friday and Saturday. Vouchers are available for senior citizens that qualify. Mr. Morgan stated more local farmers are encouraged to participate in this project.

IV. ORDINANCE – APPOINTMENT OF ASSISTANT CHIEF OF FIRE DEPARTMENT

Councilwoman Franklin presented the Council with copies of an ordinance that amends Section 2-44 of the Code of Ordinances of the City of Selma delegating the appointment of the Assistant Chief of Fire Department. Councilwoman Franklin requested the ordinance be amended to change the statement that reads the Assistant Chief of Fire Department shall hold office until the next general election to read the Assistant Chief of Fire Department shall hold office month to month. Councilwoman Franklin motioned to place the ordinance on first reading. President Evans suggested the amended ordinance be discussed at the next work session.

V. ORDINANCE – APPOINTMENT OF DEPARTMENT HEADS

Mayor Perkins presented the Council with copies of an ordinance that amends Section 2-46 of the Code of Ordinances of the City of Selma to read the City Attorney, Chief of Police, Assistant Chief of Police, Cemetery Sexton, Tax Collector, Chief of Fire Department, Assistant Chief of Fire Department, Personnel Director, Director of Planning and Development, Director of General Services, Building Inspector, Code Enforcement Officer, Director of Public Works, Director of Recreation and Battalion Chiefs of Fire Department shall be appointed by the Mayor of the City of Selma.

V. ORDINANCE – APPOINTMENT OF DEPARTMENT HEADS

Mayor Perkins stated the Code of Alabama states in cities with population of more 6,000 the Council shall elect the City Clerk, City Treasurer and Municipal Judge. The Mayor further stated that Section 11.43.81 of the Code of Alabama states the Mayor, with general supervision, shall appoint all officers who is not otherwise appointed by law and the Mayor is responsible for overseeing the day-to-day operations of city government. Mayor Perkins stated he was publicly asking the Council not to support the ordinance introduced by Councilwoman Franklin. The Mayor stated if Councilwoman Franklin agreed to withdraw the ordinance she presented regarding the Assistant Chief of Fire Department he would withdraw the ordinance he is presenting regarding the appointment of all officers.

There being no action to withdraw the ordinance presented by Councilwoman Franklin, Mayor Perkins asked that the ordinance he was presenting be placed on first reading.

VI. ORDINANCE TO PRESERVE AND PROTECT SELMA'S HISTORY

Attorney Nunn presented an ordinance that Councilwoman Franklin asked him to prepare that sets guidelines to preserve and protect Selma's history. Councilwoman Franklin stated that the ordinance should probably include a fine schedule for violators. President Evans asked that this ordinance be placed on first reading and discussed in more detail at the next work session.

VII. CENSUS REALIGNMENT COMMITTEE

President Evans stated, in all probability, the Council would be faced with realignment due to the census numbers. President Evans stated it is his desire to appoint a committee of the Council to begin work on this project. The Census Realignment Committee consists of President George Evans, Chairman, Councilwoman Jean T. Martin, Councilwoman Nancy G. Sewell and Councilman James Durry. President Evans stated other Council members were invited to participate in the meetings and work sessions of the Committee.

VIII. SELMA PUBLIC SCHOOL BOARD VACANCIES

Councilwoman Crenshaw stated the Council has been asked to appoint three school board members whose terms has expired. According to an agreement reached during the early 1990's, the Council must appoint members according to the race of the member whose term expired. The 2001 appointments must consist of two Blacks and one White. City Clerk Jackie Smith distributed copies of a ballot with an assigned number beside the names of the individuals who submitted resumes and letters of application. The candidates are Dr. McNair Ramsey, Dr. Samuel Lett, Dr. Geraldine Allen, Mrs. Frances Coles, Mrs. Carrie Wilson, Mr. Thomas Gilmore, Mrs. Nancy R. Bennett and Mrs. Katrina H. Smith. A roll call vote was taken and the following members were appointed by receiving a majority of the votes cast: Dr. Samuel Lett and Mrs. Carrie Wilson of the Black race and Mrs. Nancy R. Bennett of the White race. President Evans stated he was notified of a possible resignation by a White Board Member and asked the record to reflect Mr. Thomas Gilmore received the second highest number of votes cast and would be appointed only if the resignation is tendered.

IX. RETAIL TABLE WINE LICENSE – LITTLE CUB

President Evans stated an application for a retail table wine license for the Little Cub Grocery was placed on first reading at the last Council meeting. A letter from Chief Tate states the applicant, Mr. Jimmy Nunn, has no criminal record with the Selma Police Department. A motion was made by Councilwoman Martin and seconded by Councilman Durry to approve the retail table wine license application for the Little Cub Grocery. The motion carried with a majority vote of the Council. There were eight affirmative votes and one abstention. Councilwoman Franklin asked the record to reflect she abstained on the vote because Mr. Jimmy Nunn is the City Attorney and would serve as the prosecutor if there were ever a controversial wine license application. Councilwoman Franklin also stated an Attorney General Opinion or Ethics Commission ruling should be obtained on this matter.

X. R.I.F. UPDATE

Councilwoman Sewell presented the Council with schedules of the proposed R.I.F. distribution for each ward. Councilwoman Sewell stated that that she would also ask AmeriCorp members to volunteer and assist City officials with this project.

XI. AMERICA'S PROMISE NATIONAL CONVENTION

Councilwoman Sewell stated the America's Promise National Convention would be held next month in Phoenix, Arizona and that a representative from the Selma community should be present to represent Selma's efforts. Councilwoman Sewell recommended Rev. Carl Rawls, Director of CHASM Family Resource Center be allowed to attend. Councilwoman Sewell asked the Council to support the City in paying the travel related expenditures. Mayor Perkins stated he would work with Councilwoman Sewell to identify funds for Rev. Rawls to attend the convention.

XII. JULY 4TH HOLIDAY FOR CITY EMPLOYEES

Councilwoman Crenshaw stated it is her recommendation that City employees be granted an additional holiday, July 5th, in observance of Independence Day. If approved by Council, City departments would be closed Wednesday, July 4th and Thursday, July 5th. A motion was made by Councilwoman Crenshaw to declare July 5th a holiday to be observed by the City of Selma. Councilwoman Franklin seconded the motion and it passed with the unanimous vote of the Council.

XIII. STANDING COMMITTEE REPORTS

RECREATION COMMITTEE REPORT

Councilman Durry informed the Council of various summer recreation projects including playground activities, Summer Food Program, swimming lessons, tennis lessons and T-ball.

ADMINISTRATIVE COMMITTEE REPORT

Councilwoman Crenshaw stated the Administrative Report consisted of the appointment of School Board members and the additional day off for City employees to observe Independence Day. Both items were previously addressed.

PUBLIC SAFETY COMMITTEE REPORT

A. Retirement of Assistant Chief of Police Department. Councilwoman Franklin informed the Council that Assistant Chief of Police Ken Smith would be retiring from the Selma Police Department. A reception to honor Assistant Chief Smith will be held at the Public Safety Building on June 29th at 12 noon.

B. Interview of Candidates for Assistant Chief of Police Appointment. Councilwoman Franklin stated the Public Safety Committee would interview candidates for the Assistant Chief of Police vacancy on June 21st at 3 o'clock. Councilwoman Crenshaw recommended the Council delay filling this vacancy until the next fiscal year due to financial reasons. The majority of the Council concurred with this recommendation. Mayor Perkins suggested the Council not delay this appointment, but discuss this matter further due to the amount of responsibilities already bestowed upon Assistant Chief Green.

C. Vehicles without Proper Tags. Councilwoman Franklin stated there are an excessive number of cars without the proper tag displayed. Councilwoman Franklin suggested the City is losing monies and asked this matter be further discussed.

XIII. STANDING COMMITTEE REPORTS

COMMUNITY DEVELOPMENT COMMITTEE REPORT

Councilwoman Martin stated the Community Development Report consisted of the Riverfront Market Association agreement that was previously addressed.

PUBLIC WORKS AND GENERAL SERVICES COMMITTEE REPORT

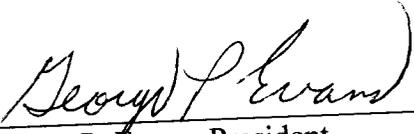
There was no report from the Public Works and General Services Committee.

XIV. MR. CLIFF ALBRIGHT - HOUSING ISSUES

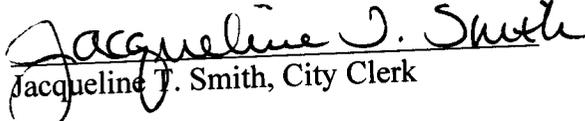
Mr. Cliff Albright stated he was present before the Council as a concerned citizen and a member of organizations targeting housing discrimination in the Selma area. Mr. Albright stated a press conference was held regarding housing issues of harassment and discrimination and wanted to make the Council aware of the findings. After investigating complaints, Mr. Albright stated he has been determined that discrimination, rent inflation and substandard housing exists in the Selma community. Mr. Albright asked the Council to initiate their own investigation and to pass aggressive legislation and programs to deal with home ownership.

President Evans asked that the concerns be presented to the Council in writing with specific agencies and organizations identified for contact. Mayor Perkins stated he would facilitate meetings with Mr. Albright in an attempt to work through this process.

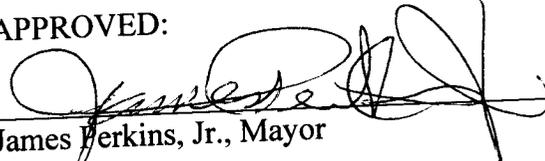
There being no further business to come before the Council, on motion made and duly seconded, the Council voted by unanimous consent to adjourn at 7:20 p.m.


George P. Evans, President

ATTEST:


Jacqueline T. Smith, City Clerk

APPROVED:


James Perkins, Jr., Mayor