

MINUTES OF THE SELMA CITY COUNCIL MEETING HELD ON TUESDAY, NOVEMBER 28, 2000

The Selma City Council met in a recessed session in the Council Chambers of City Hall on Tuesday, November 28, 2000 at 7:30 a.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 City Attorney Jimmy Nunn and City Clerk Jackie Smith.

President Evans asked each person to pause for a moment of silent prayer for our city, city officials and the citizens of Selma.

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 to the agenda prepared for this meeting. Councilwoman Sewell asked that the policy ordinance be added to the agenda for this meeting. There being no other additions to the agenda, on motion made by Councilwoman Sewell and seconded by Councilwoman Martin the agenda was approved as prepared. There were seven affirmative votes and two negative votes. Council members Crenshaw and Randolph cast the negative votes.

I. MAYOR'S REPORT

A. Proposed FY 2000-2001 Budget. Councilwoman Sewell stated that prior to the Council meeting being recessed on yesterday, the Council had discussed a number of budget items and was ready to make a motion for the adoption of the budget. Councilwoman Sewell made a motion to accept the budget as prepared by the Mayor with the amendments outlined at the Council meeting held on Monday, November 27th. Councilwoman Franklin seconded the motion. President Evans called for a roll call vote on this matter. The budget was adopted by a majority vote of the Council. There were seven affirmative votes and two negative votes. Council members Crenshaw and Randolph cast the negative votes.

II. CONTRACT AGENCY PAYMENTS

Councilwoman Sewell stated that she has been contacted by several agencies that have expressed the hardship they have faced with no funds being made available by the city during this fiscal year. Councilwoman Sewell asked Attorney Nunn to execute the contracts with each of the agencies included the FY 00-01 budget as expediently as possible, but no later than five working days. Attorney Nunn responded by saying that he's not sure he could meet the five day deadline but that he is working as fast as possible to make the sure the contracts contain the measurable services for which funds are being provided. A motion was made by Councilwoman Franklin instructing Attorney Nunn to work as expediently as possible to execute the contracts so that payments could be made to the agencies. The motion was seconded by Councilwoman Sewell and passed with a majority vote of the Council. There were eight affirmative votes and one negative vote. Councilwoman Crenshaw cast the negative vote.

III. FORREST MONUMENT

Councilwoman Franklin presented the Council with a copy of a letter from the Friends of Forrest requesting additional time for the removal of the Nathan B. Forrest Monument. A motion was made by Councilwoman Franklin recommending to Mayor Perkins that the Nathan B. Forrest Monument date of removal be delayed until the legal ramifications are resolved. The motion was seconded by Councilwoman Sewell and passed with a majority vote of the Council. There were eight affirmative votes and one negative vote. Councilwoman Crenshaw cast the negative vote.

IV. AMENDMENT TO COUNCIL RULES AND PROCEDURES

Councilwoman Sewell stated it is the duty of the Selma City Council to be conscious of the welfare and safety of its citizens. Councilwoman Sewell made a motion to amend the rules and procedures adopted by the City and change the time of Council meetings from its present time of 5 o'clock in the evenings to 10 o'clock in the mornings until daylight savings time in the spring. The motion was seconded by Councilwoman Martin and passed with a majority vote of the Council. There were seven affirmative votes and one negative vote. Council members Crenshaw and Randolph cast the negative votes.

V. CITY ATTORNEY'S REPORT

A. No-Smoking Ordinance. City Attorney Jimmy Nunn stated that an ordinance that prohibits smoking in city-owned buildings was placed on first reading at the last Council meeting to allow Council members an opportunity to review it. Councilwoman Franklin asked that this ordinance continue on first reading until further review. It was the consensus of the Council to table this matter until a later date.

B. Legal Update. City Attorney Jimmy Nunn informed the Council that he has been in settlement negotiations with claimant Rachel W. Nelson, and the claimant is proposing to settle the case for \$10,000. Attorney Nunn stated it is his recommendation that this settlement offer be denied and the case proceed with a trial. A motion was made by Councilman Sexton accept the Attorney's recommendation to deny the settlement offer of \$10,000 and authorize Attorney Nunn to proceed with a trial. The motion was seconded by Councilwoman Martin and passed with a unanimous vote of the Council.

C. Selma Waterworks and Sewer Board. City Attorney Jimmy Nunn informed the Council that Mayor Perkins has been served with a lawsuit filed by the Selma Waterworks and Sewer Board and he has thirty days in which to file an answer. Attorney Nunn further advised the Council that in the Randolph vs Waterworks Board case, the judge has issued a temporary restraining order that prohibits the Board from enforcing its November 20th decision to terminate the Mayor as the superintendent and all other actions taken at said meeting be stayed until the hearing scheduled for December 4th at 9 o'clock.

Councilwoman Crenshaw asked Attorney Nunn if Selma Waterworks and Sewer Board members could be replaced with new members if the majority of the Council votes in favor. Attorney Nunn stated that he would research the matter for legalities.

D. Council Policy Ordinance. Councilwoman Sewell stated that the City Attorney and Council members were presented an ordinance at the last Council meeting that contains policies that govern certain duties and responsibilities of the Selma City Council. Attorney Nunn stated he has not had the opportunity to review the ordinance because he was not presented a copy of the ordinance. President Evans asked that this matter be tabled to allow the City Attorney an opportunity to review the ordinance for legalities. President Evans suggested the policy ordinance be amended to also include a clause by which Council members are to govern themselves.

VI. STANDING COMMITTEE REPORTS

ADMINISTRATIVE COMMITTEE REPORT

There was no report from the Administrative Committee report.

RECREATION COMMITTEE REPORT

The Recreation Committee report was informational only.

VI. STANDING COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE REPORT

The Public Safety Committee report was informational only.

COMMUNITY DEVELOPMENT COMMITTEE REPORT

The Community Development Committee report was informational only.

PUBLIC WORKS AND GENERAL SERVICES COMMITTEE REPORT

The Public Works and General Services Committee report was informational only.

VII. OTHER REPORTS AND ANNOUNCEMENTS

A. **Mr. Sam Walker.** Mr. Sam Walker stated he was present before the Council to ask that serious consideration be given to the previous request to rename of a portion of Lapsley Street in honor of Mrs. Amelia Boynton and her husband, Mr. Samuel Boynton, both of who were civil rights pioneers. Mr. Walker asked the Council to consider the ages of the Boyntons and move expediently on this matter. Councilwoman Crenshaw stated that at the request of Mr. Bruce Boynton, son of Mr. and Mrs. Boynton, this matter has been delayed. Councilwoman Crenshaw stated that she would report back to the Council on this matter after she concurs with Mr. Boynton.

B. **Rev. Aaron Dobyne.** Rev. Aaron Dobyne, pastor of Tabernacle Baptist Church, stated he was present before the Council to inform City officials that Selma will serve as the host city for the State Baptist Convention that will be held in November 2001. Rev. Dobyne stated this convention will bring hundreds of visitors to our city and asked the Council to support the efforts to make the best of this convention. President Evans thanked Rev. Dobyne for informing the Council of this event and pledged the City's support to make this event a success.

Rev. Dobyne also offered words of encouragement by suggesting the Mayor and Council work together to move Selma forward by finding common ground to benefit the entire city so Selma as a whole will not suffer.

C. **Mr. Clarence Williams.** Mr. Clarence Williams stated that he was present before the Council to express his support of Mayor Perkins changing the locks on the doors at the Waterworks facility as a show of protection for the employees. Mr. Williams also encouraged improved communication between city officials and the citizens.

D. **Mr. Stoney Vinston.** Councilwoman Sewell stated that Mr. Stoney Vinston presented a request, at the last Council meeting, for permission to place a portable building in the rear of his business on North Broad Street. Councilwoman Sewell stated that she has examined this matter and it complies with zoning requirements. A motion was made by Councilwoman Sewell giving Mr. Stoney Vinston permission to place a portable building in the rear of his business. The motion was seconded by Councilwoman Franklin and passed with a unanimous vote of the Council.

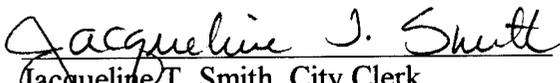
E. **Councilman Sam Randolph.** Councilman Randolph stated that he would like to address Councilmen Sexton and Durry by asking them to rescind their action of terminating Mayor Perkins as superintendent of the Selma Waterworks and extended an invitation for the Board members to sit down and talk with Mayor Perkins in an attempt to resolve their differences.

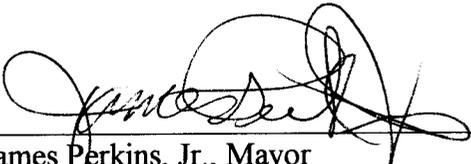
There being no further business to come before the Council, on motion made and duly seconded, the Council voted by a unanimous consent to adjourn at 9:07 a.m.


George P. Evans, President

ATTEST:

APPROVED:


Jacqueline T. Smith, City Clerk


James Perkins, Jr., Mayor