

**MINUTES OF THE SELMA CITY COUNCIL MEETING
HELD ON MONDAY, APRIL 23, 2001**

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, April 23, 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 Joshua Davis 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. President Evans asked that the agenda be amended to include payment of attorney fees. Councilwoman Franklin asked that the agenda be amended to include a report on WIMG-NLC. Councilman Durry asked that the agenda be amended to include a Weed and Seed resolution. There being no other additions to the agenda, on motion made by Councilwoman Sewell and seconded by Councilwoman Crenshaw the agenda was approved with the stated amendments.

President Evans asked if there were any additions or corrections to the minutes of the regular Council meeting held on Monday, April 9, 2001 or the special called Council meeting held on Wednesday, April 11, 2001. There being no additions or corrections to the minutes, on motion made by Councilman Sexton and seconded by Councilwoman Franklin, the minutes were approved as recorded.

I. CITY ATTORNEY'S REPORT

A. Contract- Goodwin Construction. Attorney Nunn stated he previously made the Council aware that he was in the process of preparing a contract between Goodwin Construction and the City of Selma for repairing windows at Fire Station Number Three. The amount of the contract is \$1,020. A motion was made by Councilwoman Franklin and seconded by Councilman Sexton to approve the contract for the repairs to Fire Station Number Three. On roll call vote the motion passed with a unanimous vote of the Council.

B. Hiwatha Ford vs City of Selma. Attorney Nunn stated the claim of Hiwatha Ford vs City of Selma resulted from an incident of shoplifting at Wal-Mart. Attorney Nunn informed the Council that this claim was defended, on behalf of the City of Selma, by the legal firm of Gamble, Gamble, Calame and Wilson. Attorney Nunn further stated he is in receipt of an order from the court stating the case has been dismissed. The plaintiff can file an amended complaint by April 25th otherwise the case stands dismissed. Attorney Nunn presented an invoice from the firm of Gamble, Gamble, Calame and Wilson the amount of \$9,370.71 for the defense of this case. A motion was made by Councilwoman Sewell and seconded by Councilwoman Martin to approve payment of the invoice for legal fees in the amount of \$9,370.71. On roll call vote the motion passed with a unanimous vote of the Council.

C. Clarence Strong vs City of Selma. Attorney Nunn stated the claim of Clarence Strong vs City of Selma is still pending and the judge has allowed the other side until April 30th to file additional briefs or the case will be dismissed. Attorney Nunn presented an invoice from the firm of Gamble, Gamble, Calame and Wilson in the amount of \$4,633.70 for the defense of this case. A motion was made by Councilman Sexton and seconded by Councilwoman Franklin to approve payment of the invoice for legal fees in the amount of \$4,633.70. On roll call vote the motion passed with a unanimous vote of the Council.

II. MAYOR'S REPORT

A. Introduction of New Employees. Mayor Perkins introduced, to the Council, the newly hired employees of the City of Selma. The Mayor introduced the Finance Director, Mr. Bob Sanders, Accounts Payable Clerk, Mrs. Rose Dunning, Personnel Director, Valeria Jones and the Director of the Smitherman Building, Mr. John Scales to the Council.

B. Overtime for Mayor's Security. Mayor Perkins distributed a memo from the Payroll Department that shows the amount of overtime worked by Detective James Walker and Sgt. Jimmy Martin. The memo stated Sgt. Martin has worked a total of 112 hours of overtime from October 2000 through March 2001. Mayor Perkins explained that all overtime worked by Sgt. Martin in February and March was as an ATF agent and the costs are reimbursed to the City. The Mayor further stated that more than one-half of the overtime Sgt. Martin worked in October and November should also be credited to his work as an ATF agent. Detective Walker has worked a total of 68 hours of overtime from October 2000 through March 2001. The Mayor further explained the overtime Detective Walker worked in March should be credited to the annual Jubilee celebration.

C. Resolution – Weed and Seed Grant Application. Councilman Durry read a resolution whereby the Selma City Council authorizes Mayor Perkins to submit an application for continued funding, to the Department of Justice, for a grant totaling \$225,000 to be used for the Weed and Seed Strategy in the target area. A motion was made by Councilwoman Sewell and seconded by Councilwoman Martin to adopt the resolution seeking continued Weed and Seed funding. The motion passed with a unanimous vote of the Council. Mayor Perkins stated an application would be submitted to the Justice Department in August seeking an expansion of the Weed and Seed target area.

D. Boreland- Benefield CPA Firm. Mayor Perkins presented copies of an invoice from Boreland-Benefield in the amount of \$4,957, which is the final bill for the FY 1999-2000 audit. A motion was made by Councilwoman Martin and seconded by Councilwoman Sewell to approve payment of the Boreland-Benefield invoice in the amount of \$4,957. On roll call vote the motion passed with a majority vote of the Council. There were seven affirmative votes and two negative votes. Council members Sexton and Franklin cast the negative votes.

E. Sirote & Permutt, Attorneys At Law. Mayor Perkins distributed copies of an invoice from Sirote & Permutt in the amount of \$6,273.42, which are the fees charged for a legal opinion on the audit management letter. A motion was made by Councilwoman Sewell and seconded by Councilman Tucker to approve payment of the Sirote & Permutt invoice in the amount of \$6,273.42. On roll call vote the motion passed with a majority vote of the Council. There were seven affirmative votes and two negative votes. Council members Sexton and Franklin cast the negative votes. **Item E has been amended at the May 15, 2001 Council Meeting. See page 6 of 6.**

F. Brownfields Grant Award. Mayor Perkins informed the Council that the City of Selma has been approved for a \$200,000 pilot Brownfields grant. The purpose of the grant is to identify old industrial and commercial properties that are perceived to be or known to be contaminated. There were over 1,000 applications submitted from throughout the entire United States and only 399 grants awarded. The Brownfields grant makes the City of Selma eligible to receive funds from twenty-five different governmental partners.

III. CITIZENS REQUEST COMMITTEE REPORT

Councilwoman Sewell, Chairperson of the Citizens Request Committee, reported that the Committee met earlier today to review the requests and to develop a form letter for use by the Committee. The Committee reported no funds were awarded today, mainly because a contract for services must be provided before requests can be accepted and approved. Councilwoman Sewell stated the Committee would contact those individuals and organization that have requested funds to make them aware of the requirements. Councilwomen Sewell and Crenshaw asked Council members to make a personal donation to two area students who are raising funds for trips that will take them abroad.

IV. ATTORNEY FEES – COUNCIL OUTSIDE LEGAL COUNSEL

Councilman Sexton distributed copies of an invoice from Attorneys Henry Pitts and John Kelly, III in the amount of \$2,638.33 for fees charged for legal advice regarding Council discretionary fund spending. A motion was made by Councilman Sexton and seconded by Councilman Tucker to approve payment of the invoice for legal fees in the amount of \$2,638.33. On roll call vote the motion passed with a unanimous vote of the Council.

V. FUTURE PAYMENT OF LEGAL FEES

Councilwoman Crenshaw stated that due to the number of mixed opinions and confusion in the employment of outside legal counsel, she introduced a motion stating there should be no activity with a legal firm nor payment for legal counsel without prior Council knowledge and approval. Councilman Randolph seconded the motion and it passed with a majority vote of the Council. There were eight affirmative votes and one negative vote. Councilman Tucker cast the negative vote.

VI. COMPREHENSIVE PAY PLAN

President Evans stated that a resolution was placed on first reading at the last Council meeting resolving a two percent pay increase for General Services employees. Councilwoman Crenshaw asked that the resolution be tabled until a Council Committee and Personnel Director has the opportunity to review the plan prepared by Yolanda Jackson. Councilwoman Sewell motioned that the resolution remain on first reading. Councilman Durry seconded the motion and it passed with a unanimous vote of the Council.

VII. WIMG-NCL UPDATE

Councilwoman Franklin informed the Council that she attended a meeting last Friday, Saturday and Sunday with representatives of Women In Municipal Government to discuss plans for the December conference. The group also discussed community issues, public safety and the financing of city services. Councilwoman Franklin stated she is the future nominee for President of WIMG and if elected, Selma will be the host city for the 2002 WIMG delegation.

VIII. PROTESTER SIGNS IN CITY HALL

President Evans stated there is some concern and questions as to the legalities of protesters bringing signs in City Hall. Attorney Nunn stated he could not find any definitive language on the matter and he would present a legal opinion at the next Council meeting. President Evans stated he feels protester signs in City Hall and other facilities are inappropriate and the Council may have to develop an ordinance prohibiting these actions.

IX. 2020 PLAN

Councilwoman Sewell presented the 2020 Plan and stated she feels the plan is a very worthy plan to be implemented, as many community leaders met numerous times to provide input on the development of the 2020 Plan. Councilwoman Sewell motioned that the Council adopt the plan, developed by Mr. Bob Juster and Consultants, as a blueprint and a guide that can be amended at any point. Councilwoman Franklin seconded the motion. Councilwoman Crenshaw asked that motion to adopt the 2020 Plan be tabled until a later date to allow the new Mayor to bring on board The Selma Plan. After a lengthy discussion, Councilwoman Sewell withdrew her original motion. Councilwoman Sewell amended the motion to state the City Council will adopt the 2020 Plan as a guide and with the understanding that the information included in the 2020 Plan can be interfaced with the Mayor's plan to develop a Selma Plan. Councilman Tucker seconded the motion and it passed with a unanimous vote of the Council.

X. FIREFIGHTERS GRANT APPLICATION

Councilwoman Franklin presented a resolution for Council adoption resolving the City Council of the City of Selma authorizes the filing of an application to the Federal Emergency Management Agency for assistance for the City of Selma's Fire Department in the amount of \$600,000 and authorize and direct Mayor Perkins as the official representative of the City of Selma to provide information as may be required. The resolution further pledges to provide matching funds in the amount of \$60,000 as required by the Federal Emergency Management Agency. A motion was made by Councilwoman Franklin to submit the grant application and other information and to provide matching funds in the amount of \$60,000. Councilwoman Sewell seconded the motion and on roll call vote the motion passed with the unanimous vote of the Council. If the grant is awarded in this fiscal year the Council will vote to make an amendment to the budget.

XI. ALABAMA TRUST FUND EARNINGS

Councilwoman Martin stated that there is major needs for capital improvements at the Performing Arts Center. The present Heat-Air Conditioning-Ventilation system is totally dysfunctional. The Performing Arts Center is booked for the summer and if measures are not taken immediately to replace the twelve HACV units the facility will be closed and bookings transferred to another facility. Estimates indicate the cost to replace the units is \$65,000 to \$70,000. City Clerk Jackie Smith informed the Council that the City's share of windfall offshore oil monies through the Alabama Trust Fund for this fiscal year is \$77,637.96. A State warrant has been received and deposited into a separate account as the law provides. A motion was made by Councilwoman Sewell to direct monies from the Alabama Trust Fund to the capital improvements necessary at the Performing Arts Center. Councilwoman Crenshaw seconded the motion and on roll call vote the motion passed with a unanimous vote of the Council.

Mayor Perkins stated a crisis does exist at the Performing Arts Center due to the lack of proper air conditioning and ventilation and asked the Council to declare a state of emergency at the Performing Arts Center. Mayor Perkins stated with the emergency declaration, the engineers and City Clerk would have the latitude to expedite the process. A motion was made by Councilwoman Franklin and seconded by Councilwoman Martin to declare an emergency situation at the Performing Arts Center due to the lack of air conditioning and ventilation. Councilwoman Martin seconded the motion and it passed with a unanimous vote of the Council.

XII. SMITHERMAN BUILDING RENOVATIONS

Mayor Perkins informed the Council that a Director has been hired for the Smitherman Building and that the funds for renovations are not on hold, but the process has been delayed during the management process to ensure controls as to how the renovation funds will be handled. Since some checks for the renovations have been written more than six months ago, there is a possibility they will have to be voided and re-issued.

XIII. CIVIL WAR TRAIL

Mayor Perkins informed the Council of Congressman Earl Hilliard's desire to develop a Civil War Trail with Selma being a key component in this Trail. Mayor Perkins stated he has been discussing the details with Congressman Hilliard and would like a vote of confidence from the Council endorsing the Civil War Trail before proceeding with embracing the idea. A motion was made by Councilwoman Martin indicating the City Council would endorse the Civil War Trail. Councilwoman Crenshaw seconded the motion and it passed with a unanimous vote of the Council.

XIV. VOTING RIGHTS TRAIL INTERPRETIVE CENTER

Mayor Perkins informed the Council that officials of the Voting Rights Trail recently met with officials of the Federal Highway Administration and the Department of Transportation. Local officials were informed that land acquisition funds have been approved for the Selma Interpretive Center. Procedures are now being taken to have the land surveyed.

XV. STANDING COMMITTEE REPORTS

RECREATIONN COMMITTEE REPORT

The Recreation Committee report was informational only.

ADMINISTRATIVE COMMITTEE REPORT

The Administrative Committee report was informational only pertaining to School Board vacancies.

PUBLIC SAFETY COMMITTEE REPORT

A. Rescue Squad Boat. Councilwoman Franklin asked each Council member to make a donation to the Selma-Dallas County Rescue Squad with funds from their discretionary funds. The funds will be used to purchase a much needed rescue boat.

B. Law Enforcement Block Grant. Councilwoman Franklin informed the Council that the City of Selma is the recipient of a \$90,042 Law Enforcement Block Grant that requires a match of \$10,005. A motion was made by Councilwoman Franklin and seconded by Councilwoman Sewell to provide the grant match in the amount of \$10,005. Councilwoman Franklin asked that the funds be taken from the Grant Matching Funds line item in the Community Development budget.

C. Claim of Delois McArthur. Councilwoman Franklin informed the Council that a claim filed against the City by Delois McArthur does not involve the Selma Police Department but the Dallas County Sheriff Department.

D. Appointment of Assistant Fire Chief. Councilwoman Franklin informed the Council that she is in receipt of a memo from Attorney Nunn stating the Mayor has the appointment power for the Assistant Fire Chief. Councilwoman Franklin asked that this matter be tabled for further research.

COMMUNITY DEVELOPMENT COMMITTEE REPORT

The Community Development Committee had no report.

PUBLIC WORKS/GENERAL SERVICES COMMITTEE REPORT

The Public Works/General Services Committee report was informational only regarding abandoned houses and cars.

XVI. TORIANO NEELY – SELMA-DALLAS COUNTY RESCUE SQUAD

Mr. Toriano Neely stated he was present before the Council to inform them that the Selma-Dallas County Rescue Squad has raised approximately \$5,100 towards the purchase of the rescue boat and in need of an additional \$6,500. Mr. Neely thanked the Council for their support.

XVII. MR. GEORGE GRAYSON

Mr. George Grayson stated he was present before the Council to address tourism concerns. Mr. Grayson stated that some businesses do not provide restrooms for public use. Next, Mr. Grayson told the Council that he disagree with the Council vote of confidence for a Civil War Trail. Lastly, Mr. Grayson stated the Edmund Pettus Bridge is in dire need of being repainted.

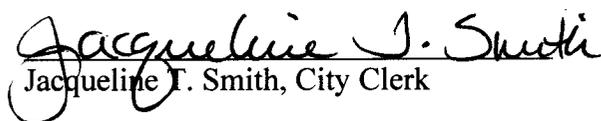
XVIII. MRS. CLORIS JONES

Mrs. Cloris Jones informed the Council that she lives in the Bloch Park area and there is rust and sediment in the residential water. Mrs. Jones stated she has complained to the Selma WaterWorks who informed her that the rust and sediment is the result of fire training techniques that require the use of fire hydrants in the area. Captain Dearman informed the Council that the Fire Department has not used any water for fire training or cleaning in over a year. The Fire Department trains and cleans the equipment using water that is on the truck. Additionally, Captain Dearman stated the Fire Department has installed hydrants directly from the water tank so as not to disturb the water in this area. Mayor Perkins stated this problem is a very common problem that is not caused by the City of Selma. Council members on the Selma WaterWorks and Sewer Board stated they would discuss with matter with the Water Board.

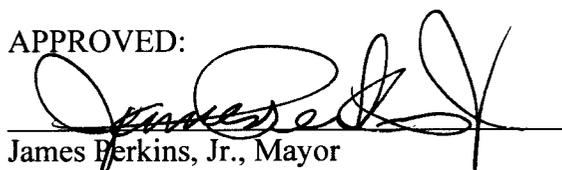
There being no further business to come before the Council, on motion made and duly seconded, the Council voted by a unanimous consent to adjourn at 7:30 p.m.


George P. Evans, President

ATTEST:


Jacqueline T. Smith, City Clerk

APPROVED:


James Perkins, Jr., Mayor

AMENDMENT: Section II, Item E

Councilwoman Franklin asked that Section II, Mayor's Report Item E, Sirote & Permutt, Attorneys at Law be amended to include the request of a detailed, itemized statement of the charges for which payment was approved.

RESOLUTION

COPY

**CITY OF SELMA
FIRE GRANT APPLICATION**

WHEREAS, let it hereby be **RESOLVED** by the City Council of the City of Selma, Alabama, that the City recognizes the importance of new and improved firefighting equipment and vehicle; and

WHEREAS, the City of Selma is firmly committed to a goal of providing timely and quality services to citizens in need and safer working conditions for the firefighters; and

WHEREAS, we herein support the City's application to the Federal Emergency Management Agency for assistance for the City of Selma's fire department in the amount of \$600,000; and

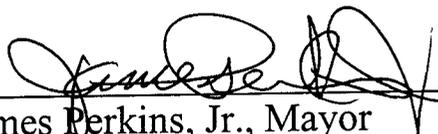
WHEREAS, the City of Selma pledges to provide match funds in the amount of 10% of the total grant program as required by the Federal Emergency Management Agency; and

NOW, THEREFORE, BE IT RESOLVED, the City of Selma hereby authorizes the filing of said application, including all understandings and assurances contained therein, and does hereby authorize and direct Mayor James Perkins, Jr. as the official representative of the City of Selma to provide such information as may be required.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELMA,
ALABAMA ON THIS THE 23rd DAY OF APRIL, 2001.

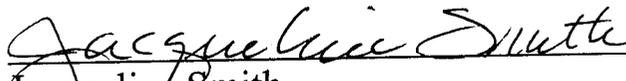


George P. Evans, President
Selma City Council



James Perkins, Jr., Mayor
City of Selma

Attest:



Jacqueline Smith
City Clerk

RESOLUTION

COPY

**CITY OF SELMA
WEED AND SEED GRANT APPLICATION**

WHEREAS, the City of Selma has been designated as an Officially Recognized Weed and Seed Site; and

WHEREAS, the designated Weed and Seed Program in the City of Selma has an established and functioning Weed and Seed Steering Committee and support from the public and private sector in the community; and

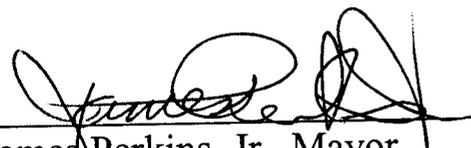
WHEREAS, the City of Selma desires to submit an application for continued funding to the Department of Justice, Executive Office of Weed and Seed for assistance to continue the successful implementation and administration of the Weed and Seed Strategy in the City; and

WHEREAS, the continued implementation and administration of the Weed and Seed Program Strategy will provide coordination and collaboration of Federal, State, and Local initiatives that will address the four elements that make up Weed and Seed – Law Enforcement, Community Policing, Prevention Intervention and Treatment and Neighborhood Revitalization; and

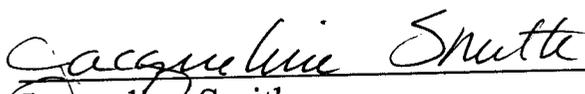
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Selma, Alabama hereby authorizes James Perkins, Jr. in the official capacity as Mayor to submit an application for continued funding including all understandings, assurances and certifications, to the Department of Justice, Executive Office of Weed and Seed for a Grant in the amount of \$225,000.00 to be used for the Weed and Seed Program Strategy in the City of Selma Target Area.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELMA, ALABAMA ON THIS 23rd DAY OF APRIL, 2001.


George P. Evans, President
Selma City Council


James Perkins, Jr., Mayor
City of Selma

Attest:


Jacqueline Smith
City Clerk