

MINUTES OF THE SELMA CITY COUNCIL MEETING HELD ON MONDAY, OCTOBER 8, 2001

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, October 8, 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 and Bennie Ruth Crenshaw. Councilman James Durry was absent from the meeting. 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 James Jackson 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. Councilwoman Sewell asked that the agenda be amended to include a report from Mr. Eli Welch, III, Principal of Selma High School. There being no other amendments to the agenda, on motion made by Councilwoman Sewell and seconded by Councilwoman Franklin, 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 September 24, 2001. There being no additions or corrections to the minutes of the September 24th Council meeting, on motion made by Councilwoman Franklin and seconded by Councilwoman Martin the minutes were approved as recorded.

President Evans asked if there were any additions or corrections to the minutes of the special called Council meeting held on September 27, 2001. There being no additions or corrections to the minutes of the September 27th special called Council meeting, on motion made by Councilwoman Sewell and seconded by Councilwoman Martin the minutes were approved as recorded.

President Evans asked if there were any additions or corrections to the minutes of the reconvened meeting of the special called Council meeting held on September 30, 2001. A motion was made by Councilwoman Martin and seconded by Councilwoman Franklin to approve the minutes as recorded. Councilwoman Sewell asked for a deferral on the vote to approve these minutes until the Council has the opportunity to read the minutes in more depth. Councilwoman Martin withdrew her motion and Councilwoman Franklin withdrew her second. President Evans stated a vote to approve the minutes of the September 30, 2001 Council meeting would be deferred until the next Council meeting.

I. MAYOR'S REPORT

A. Resolution Condemning Acts of Terrorists. Mayor Perkins presented Council with copies of a resolution stating the City of Selma supports United States President George W. Bush and the United States Congress as they face the issues and decisions to address the terrorist attack on the United States on September 11, 2001. The resolution also states the City of Selma extends its deepest condolences to the victims, families, friends and loved ones and also commends the heroic actions of the rescue workers. Mayor Perkins stated he has met with a committee of police officers and firefighters who are working on a plan that will allow some of our public safety employees the opportunity to go to New York and assist in the clean up and recovery missions. A motion was made by Councilwoman Martin to adopt the resolution condemning the acts of terrorist and to support the Mayor in working with police and fire employees to assist in the clean-up and recovery missions. Councilwoman Crenshaw seconded the motion and it passed with a unanimous vote of the Council. Councilman Randolph was not present for the vote.

I. MAYOR'S REPORT

B. Contract – Dallas County Commission. Mayor Perkins presented Council with copies of a contract between the City of Selma and Dallas County Commission for the County to print for the City of Selma approximately 8,400 – 4 page ad valorem tax bills and abstracts for the 2001-2002 tax season. In the past the City has paid \$4,500 for this service, however, Mayor Perkins stated he has negotiated with Probate Judge Johnny Jones to have the service performed this year for \$1,956.75. Councilwoman Sewell made a motion to approve the contract with Dallas County Commission in the amount of \$1,956.75 for the printing of the tax bills and abstracts. Councilman Sexton seconded the motion and on roll call vote the motion was approved with a unanimous vote of the Council. Councilman Randolph was not present for the vote.

II. CITY ATTORNEY'S REPORT

A. Resolution – Legal Notice Property Tax Assessments. Attorney Nunn presented Council with copies of a resolution to publish a legal notice in the Selma Times Journal that notifies citizens that the property tax assessments have been completed and the City Council will meet on October 22, 2001 at 5 o'clock to hear and determine any objections. A motion was made by Councilwoman Franklin and seconded by Councilman Sexton to adopt the resolution to publish the legal notice regarding property tax assessments. The motion passed with a unanimous vote of the Council. Councilman Randolph was not present for the vote.

B. Resolution – 2000/2001 Unappropriated Funds. Attorney Nunn presented Council with copies of a resolution that states all sums of money appropriated for various departments for FYE September 30, 2001 and not expended be turned into the general fund of the City of Selma. Attorney Nunn stated this resolution does not apply to bond funds and other restricted accounts. Councilman Randolph entered the meeting. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to adopt the resolution addressing the 2000/2001 unappropriated funds. The motion passed with a majority vote of the Council. There were seven affirmative votes and one negative vote. Councilman Tucker cast the negative vote.

C. Ordinance to Amend Section 6.9 Building Permit Penalty. Attorney Nunn stated the ordinance that governs the penalty for failure to purchase a building permit was drafted in 1965 with the penalty being fifty percent of the fee and the fee is based on the dollar amount of the work to be performed. Attorney Nunn presented an amended ordinance that increases the penalty equal to the fee plus \$100 and each day thereafter, \$50 per day. Councilwoman Sewell motioned to place the ordinance on first reading. A brief discussion followed concerning the requirement of a building permit to paint a house. President Evans requested Attorney Nunn research the code to see if a building permit is required to paint a house.

D. Payment of Attorney Fees. Attorney Nunn stated he is in receipt of an invoice from the law firm of Gamble, Gamble, Calame and Wilson who were hired to defend the City in the federal lawsuit of Clarence Strong vs City of Selma. This matter was discussed in Executive Session on October 4, 2001 and Attorney Nunn requested a vote of approval to pay the invoice. A motion was made by Councilman Tucker to pay the invoice of Gamble, Gamble, Calame and Wilson for defense of the Clarence Strong case. Councilwoman Sewell seconded the motion and on roll call vote the motion passed with a unanimous vote of the Council.

E. Claim of Adrian and Linda Goldston. Attorney Nunn informed the Council that he is in receipt of a claim filed on behalf of Adrian and Linda Goldston regarding the placement of a wireless telecommunications tower. Attorney Nunn stated he was only placing the Council on notice and after properly investigating the claim he would report back to the Council at a later date.

F. Claim of Sherry Mitchell. Attorney Nunn informed the Council that he is in receipt of a claim filed on behalf of Sherry Mitchell regarding a clogged storm drain line. Attorney Nunn stated the claim was forwarded to the Public Works Department for an investigation and he would report back to the Council at a later date.

II. CITY ATTORNEY'S REPORT

G. Claim of Miriam Pfeiffer. Attorney Nunn informed the Council that he is in receipt of a claim filed on behalf of Miriam Pfeiffer regarding a broken windshield. Attorney Nunn stated the claim was forwarded to the General Services Department for an investigation and he would report back to the Council at a later date.

H. Claim of Lola Sewell. Attorney Nunn informed the Council that he is in receipt of a claim filed on behalf of Lola Sewell regarding damage to her vehicle caused by a pothole. Attorney Nunn stated the claim was forwarded to the Public Works Department for an investigation and he would report back to the Council at a later date.

I. Claim of Michael Dukes. Attorney Nunn informed the Council that he is in receipt of a claim filed on behalf of Michael Dukes claiming improper actions by the Selma Police Department. Attorney Nunn stated Chief Tate was asked to investigate this claim and his report states there were no violations of rules, regulations or otherwise in the handling of this individual. Attorney Nunn stated based on the information he has received from the Police Department, it is his recommendation that this claim be denied. A motion was made by Councilwoman Sewell and seconded by Councilwoman Crenshaw to deny the claim of Michael Dukes. The motion passed with a unanimous vote of the Council.

J. Rezoning Ordinance. Attorney Nunn stated he presented the Council with copies of a petition filed on behalf of Michael Barnett and Jennifer Barnett to request to rezone property located on Old Orrville Road from an R75 to an R50B. Attorney Nunn stated conflict exists whereby property owners in close proximity of the subject property feel they were not properly notified of this proposed change. Councilman Sexton stated a petition has been circulating in the neighborhood and there are thirty-four signatures in opposition to the rezoning. Attorney Nunn stated it is his recommended that this matter go back to the Planning Board until proper procedures have been followed. Mrs. Dean Fields addressed the Council by saying the property owners in the area were under the impression that the doctor's office could locate at the site without rezoning, and the majority of residents in the area oppose the rezoning petition.

III. CARL C. MORGAN, JR. LIAISON REPORT

Mr. Carl C. Morgan, Jr. addressed the Council to make his monthly liaison report. The following matters were discussed:

- Incinerator Project – Mr. Morgan stated since the Gulf States Paper Company plant in Maplesville had closed, investors thought it was a possible location for the incinerator. It has since been determined that the site is too close to the school.
- RC&D – Mr. Morgan stated that the RC&D association have adopted a plan of work and there are several projects that will impact our area. The revolving loan project for small farmers is one project they are working on.
- Alabama Historical Commission – Mr. Morgan attended a meeting in Montgomery for a budget discussion on the Cahawba Project. Long range plans were also discussed.
- Deep South Foods – Mr. Morgan encouraged citizens to patronize Deep South Foods located in the spec building near Pioneer Electric on Highway 41.

IV. ECONOMIC DEVELOPMENT

Mayor Perkins informed the Council that Governor Siegleman made a special visit to Selma last week to sign legislation. The Governor stated Dallas County is one of seventeen counties targeted for Economic Development. Mayor Perkins also informed the Council of Governor Siegleman's one-year plan to complete the extension of four lanes from Selma to Cuba, Alabama.

V. MR. ELI WELCH, III SELMA HIGH SCHOOL PRINCIPAL

Council members and President Evans thanked Mr. Welch for the leadership he is providing to the faculty and staff at Selma High School. Mr. Welch stated he was present to introduce himself to the Council and to make them aware of the programs he is initiating for the betterment of the high school. Mr. Welch highlighted some of his accomplishments over the last two months including the establishment of a Mentor Program, Adopt-A-Class Project, Partners-In-Education Program. Mr. Welch also stated absentees, tardiness and suspensions are lower and students are exceeding expectations.

VI. POLICE DEPARTMENT MERIT SYSTEM EMPLOYEES

Attorney Nunn stated he has prepared and mailed a request for an Attorney General Opinion relative to Legislative Act 2001-463 affecting Police Department officials. Attorney Nunn stated he is awaiting a response.

VII. FIRE PREVENTION WEEK

Councilman Randolph stated the month of October is designated as "Fire Prevention Month" and he along with Helping Hands Bible Ministry and Morning Star Baptist Church has purchased four hundred smoke detectors to be distributed to senior citizens and disabled citizens throughout Selma and Dallas County. Councilman Randolph, Mayor Perkins and Chief Allen presented a smoke detector to a senior citizen in the audience.

VIII. SELMA POLICE DEPARTMENT LOCAL LAW ENFORCEMENT GRANT

Councilwoman Franklin stated she distributed information, at the last Council meeting, regarding the application process for the Local Law Enforcement Grant along with a proposed budget that was adopted by the Advisory Committee. Councilwoman Franklin made a motion authorizing Mayor Perkins to submit the grant application, sign all necessary documents and to include in the 2001-2002 fiscal general fund budget grant matching funds amount of \$8,076.00. Councilman Sexton seconded the motion and on roll call vote the motion passed with a unanimous vote of the Council.

IX. 2001-2002 FISCAL BUDGET

Mayor Perkins asked Council for a delay on any action pertaining to the 2001-2002 fiscal budget to allow additional time to complete. Councilwoman Franklin suggested department heads and employees making between \$25,000 and \$30,000 be excluded from receiving a pay increase. Councilman Martin agreed with Councilwoman Franklin that the Library funding should be revisited. After a brief discussion it was the consensus of the Council to adjust the budget where only those employees making less than \$25,000 receive a pay increase. Department heads, elected officials or employees currently under a pay plan are also to be excluded. Councilwoman Crenshaw recommended the \$15,000 in the budget under Council Special Projects be moved to the Special Projects School Fund. President Evans scheduled the next budget work session for Thursday, October 18, 2001 at 4 o'clock.

X. RAILROAD CROSSING REPAIRS

Councilman Sexton stated he contacted Mr. Bob Keys and provided him with a list of railroad crossings on all side street from Fuller Building to Broad Street. Councilman Sexton stated these streets are in addition to other streets already provided.

XI. HEAVY LOADED TRUCKS ORDINANCE

Attorney Nunn stated he is still working with Lt. Evans on a draft of the Heavy Loaded Truck ordinance.

XII. RESOLUTION – COMB CHORUS KATHRYN WINDHAM

Councilwoman Sewell stated she is in the process of drafting a resolution, to be presented at the next Council meeting, supporting the Comb Chorus idea to bring Selma together. Mrs. Windham has scheduled the first musical presentation for November 4, 2001 at 2 o'clock in the front of the Library. All citizens are encouraged to participate.

XIII. APPOINTMENT OF DEPARTMENT HEADS

President Evans stated there has been some questions as to the reappointment of department heads at the first Council meeting in October. Councilwoman Sewell made a motion that the current department heads continues to serve in their positions until the next Council meeting or until reappointment. Councilman Sexton seconded the motion and it passed with a unanimous vote of the Council.

XIV. STANDING COMMITTEE REPORTS

RECREATIONN COMMITTEE REPORT

The Recreation Committee Report was informational only. Councilman Randolph informed the Council that he would be taking a bus of children from the Selma area to the Classic and Auburn Homecoming games.

ADMINISTRATIVE COMMITTEE REPORT

Councilwoman Crenshaw thanked Val Jones, Personnel Director, for working on an employee incentive project. Councilwoman Crenshaw will present more information on this project in the near future.

PUBLIC SAFETY COMMITTEE REPORT

A. Battalion Chief Vacancy. Councilwoman Franklin informed the Council that Fire Battalion Chief Michael Cutler retired from the Fire Department effective October 1, 2001. The closing date for accepting resumes will be October 9th and the Mayor and Council will schedule interview thereafter.

Other reports from the Public Safety Committee were informational only.

COMMUNITY DEVELOPMENT COMMITTEE REPORT

There was no report from the Community Development Committee.

PUBLIC WORKS/GENERAL SERVICES COMMITTEE REPORT

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

CITIZEN REQUEST COMMITTEE REPORT

A. Ms. Lamona Pettway. Councilwoman Sewell informed the Council that Lamona Pettway of Selma High School has been chosen to attend the National Youth Forum in Washington, DC on November 6, 2001 and she is soliciting financial support from all Council members.

XVI. MR. GEORGE GRAYSON

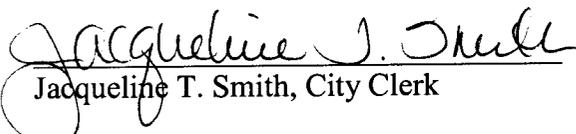
Mr. George Grayson stated he was present to ask Council to adopt a resolution requesting the State of Alabama consider his proposal for lights to be placed on top of the Edmund Pettus Bridge. Councilwoman Crenshaw offered to schedule a meeting with the Community Development Office to work out the details for a proposal for the lights on the bridge. Mayor Perkins asked Mr. Grayson for the opportunity to complete his research on this project. The Mayor stated he has located the original blueprints and is now trying to locate the original lights with special bulb that does not attract insects that can cause a hazardous condition. A brief discussion followed and a motion was made by Councilwoman Crenshaw authorizing a letter be sent to the State of Alabama requesting they define if lights can be placed on the bridge and what could be hazardous to the citizens of Selma. Councilwoman Sewell amended the motion to include a statement in the letter asking the State of Alabama to work with Mayor Perkins on the specifications of such lights. Councilwoman Sewell then seconded the motion and it passed with a majority vote of the Council. There were five affirmative votes. Councilwomen Franklin and Martin voted against the motion. Councilwoman Franklin stated the Council should allow the Mayor time to complete his research on the project.

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 7:15 p.m.



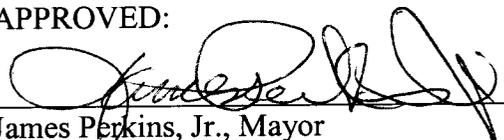
George P. Evans, President

ATTEST:



Jacqueline T. Smith, City Clerk

APPROVED:



James Perkins, Jr., Mayor

RESOLUTION

RE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELMA, ALABAMA, that the City Clerk of the City of Selma, Alabama, be and she is hereby authorized and empowered to place the following notice in the Selma Times Journal, a newspaper published in the City of Selma, Dallas County, Alabama, which notice is to appear in one issue of said newspaper and shall read as follows:

LEGAL NOTICE

Notice is hereby given that the assessments on all property in the City of Selma, Alabama, subject to taxation for the current year have been completed by the City Tax Collector, City Building, Selma, Alabama and that the City Council will meet on Monday, October 22, 2001 at 5:00 p.m. to hear and determine any objections that may be made to any of said assessments.

JAMES PERKINS, JR., MAYOR
JACQUELINE SMITH, CITY CLERK

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELMA, ALABAMA, on this the 8th day of October, 2001.

President

ATTEST:

City Clerk

APPROVED:

Mayor

RE-ZONING OF PROPERTY LOCATED AT 1312 OLD ORRVILLE ROAD

Attorney Bill Gamble has presented a petition to The Selma Planning Board to re-zone this residential property, so that a doctor's office can be placed at this site.

Please sign this petition if you OPPOSE this action.

Glenn Sexton
Councilman, Ward 1

- | | | |
|------------------------|------|-----------------------------------|
| 25. Donna Bridges | 306 | Baykin Circle |
| 26. Luth Fisher | 304 | Baykin Circle |
| 27. <i>[Signature]</i> | 1311 | Old Orrville Rd |
| 28. <i>[Signature]</i> | 1311 | Old Orrville Rd |
| 29. Robert C. BeGood | 1402 | old Orrville Rd |
| 30. Ann BeGood | 1402 | old Orrville Rd |
| 31. Miriam Hughes | 307 | Wayton old Orrville Rd |
| 32. West Hughes | 301 | " " " |
| 33. Monique Cart | 1610 | old Orrville Rd |
| 34. <i>[Signature]</i> | " | " |

NAME

ADDRESS

- | | |
|----------------------------|-----------------------|
| 1. Helen C. Smith | 1404 Old Orville Rd. |
| 2. Billie Sue McDaniel | 1400 Old Orville Rd. |
| 3. Alex McDaniel | " " " " |
| 4. Jean R. Jakes | 1407 Old Orville Rd. |
| 5. Lavonia Kennedy | 1 Jackson Circle |
| 6. Lu Rich mt | 1409 Old Orville Rd. |
| 7. Pat Woolley | 314 Barrett Rd |
| 8. Jim Woolley | " " |
| 9. Christine Freamo | 1702 Old Orville Rd. |
| 10. Robert Freamo | 1209 Old Orville Rd. |
| 11. Sandy McCrear | 1615 Old Orville Rd. |
| 12. Brenda McCrear | 1615 Old Orville Rd. |
| 13. Elton Fisher | 1613 Old Orr Rd. |
| 14. Jane McCrear | 1525 Old Orville Rd. |
| 15. Josephine McKenzie | 1525 Old Orville Rd. |
| 16. Frances Welch | 1417 Old Orville Rd. |
| 17. Kim Fisher | 1409 Old Orville Rd. |
| 18. Alan Mox | 7 Meadowview Circle |
| 19. Beverly Mox | 7 Meadowview Circle |
| 20. David Odum | 1313 Old Orville Rd. |
| 21. Mistie Odum | 1313 Old Orville Road |
| 22. R. P. Welch | 1407 " " " |
| 23. Robin Martin | 1510 Old Orville Rd. |
| 24. Jannie Bridges | 1506 Old Orville Rd. |