

## **MINUTES OF THE SELMA CITY COUNCIL MEETING HELD ON MONDAY, SEPTEMBER 23, 2002**

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, September 23, 2002 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 Tom McLemore 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 items 2, 4, 7, 9, and 10 be tabled until a future meeting. Councilwoman Sewell asked that Youth in Government be added as a business item. There being no other additions to the agenda, on motion made by Councilman Sexton and seconded by Councilwoman Sewell, the agenda was approved as amended.

President Evans asked if there were any additions or corrections to the minutes of the regular Council meeting held on Monday, September 9, 2002. There being no additions or corrections to the minutes, a motion was made by Councilman Durry and seconded by Councilman Tucker to adopt the minutes as recorded. The motion carried with a unanimous vote of the Council.

### **I. MAYOR'S REPORT**

**A. City Hall Open House.** Mayor Perkins informed the Council of City Hall Open House that will be held on Wednesday, September 26<sup>th</sup> from 12 noon until 6:00 p.m. The Mayor invited citizens to come by City Hall and visit the Mayor's Office and other city officials.

**B. Local Law Enforcement Block Grant.** Mayor Perkins informed the Council that the City is the recipient of a Justice Department Local Law Enforcement Block Grant in the amount of \$55,786.00 with required matching funds in the amount of \$6,196.00. A motion was made by Councilwoman Franklin and seconded by Councilman Tucker to appropriate \$6,196.00 in grant matching funds for the Local Law Enforcement Block Grant. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

**C. Restaurant Liquor License Application.** Mayor Perkins presented a Restaurant Liquor License application on behalf of Mrs. Chandra Prather for CJ's Oyster Bar and Grille located 1124 Water Avenue. Police Chief Robert Green has written a memo recommending the liquor license application be approved. Councilwoman Martin stated this location is a former oyster bar and grille with Mrs. Prather as the new owner. A motion was made by Councilwoman Martin and seconded by Councilman Durry to approve the license application as presented. The motion carried with a unanimous vote of the Council.

**D. Pay Telephone Proposal.** Mayor Perkins informed the Council that effective January 1, 2003 Bell South would no longer service pay telephones. The Mayor stated Talton Communications had met with the Finance Director and City Clerk and presented a proposed contract for Talton Communications to assume responsibility for all pay telephones within the city limits. A motion was made by Councilwoman Franklin and seconded by Councilwoman Crenshaw authorizing Mayor James Perkins, Jr. to enter into a contract with Talton Communications to provide service to pay telephones within the city limits effective January 1, 2003. The motion carried with a majority vote of the Council. There were eight affirmative votes and one abstention. Councilman Sexton abstained on the vote.

## I. MAYOR'S REPORT

**D. Resolution – National Register Historic Society.** Mayor Perkins informed the Council that the Old Town and Water Avenue area has been resurveyed and meets the necessary criteria to remain a historic district. Mayor Perkins presented a resolution resolving the Old Town and Water Avenue area remain a designated historic district and asked for Council adoption. A motion was made by Councilwoman Martin and seconded by Councilwoman Sewell to adopt the resolution resolving the Old Town and Water Avenue areas remain a designated historic district. The motion carried with a unanimous vote of the Council.

**E. Name Change of Joe T. Smitherman Historic & Civic Building.** Mayor Perkins stated a consensus of Smitherman Building Board of Directors and the Tourism Advisory Board has recommended the City of Selma take official action to change the name of the Joe T. Smitherman Historic and Civic Building to the Vaughan-Smitherman Museum. The Boards feel that by designating the building a museum would enhance the ability to market it as a tourist attraction. A motion was made by Councilwoman Martin and seconded by Councilman Sexton to change the name of the Joe T. Smitherman Historic and Civic Building to the Vaughan – Smitherman Museum. The motion carried with a unanimous vote of the Council. Mrs. Elizabeth Driggers, Director of Planning and Development, stated former mayor Joe T. Smitherman was contacted about the name change and he agreed with the recommendation of the Boards.

**F. Railroad Officials Meeting.** Mayor Perkins reminded the Council of a meeting scheduled on Tuesday, September 24<sup>th</sup> at 4:00 p.m. with officials of CSX and Norfolk Southern railroad companies. The Mayor stated the meeting is opened to the public.

**G. 2002-2003 City Budget.** Mayor Perkins reminded the Council that state law requires the adoption of a balanced budget prior to October 1, 2002. Councilwoman Sewell stated since city officials has not completed the 2002-2003 fiscal budget it is her recommendation that the Council go on record officially adopting the 2001-2002 fiscal budget in the amount of \$17,246,000 as a working document, pending the completion of the new city budget. A motion was made by Councilwoman Sewell and seconded by Councilman Sexton to adopt a budget in the amount of \$17,246,000 that is identical to the 2001-2002 city budget, pending the completion of the new city budget. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

**H. FY 2003 Competitive Sewer Grant.** Mayor Perkins stated he has scheduled a meeting with ADECA staff to discuss the denial of the 2003 competitive sewer grant. Mayor Perkins stated he would provide details of the meeting at the next Council meeting.

## II. CITY ATTORNEY'S REPORT

**A. Attorney Fees – Gamble, Gamble, Calame and Wilson.** Attorney Nunn presented copies of a letter informing Council members that his office was presenting invoices for attorney fees from the law firm of Gamble, Gamble, Calame and Wilson in the specified amount of \$52,395.00 for representing the City of Selma in litigation with Friends of Forrest. A motion was made by Councilman Sexton and seconded by Councilwoman Martin to approve payment of the legal fees to Gamble, Gamble, Calame and Wilson. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

**B. Mark King v. City of Selma.** Attorney Nunn informed the Council that a motion to dismiss was filed in the lawsuit involving Mark King versus the City of Selma. Attorney Nunn stated that the Judge approved the motion to dismiss this claim today.

**C. City Marina.** Attorney Nunn stated he is in the process of drafting a lease agreement for the lease of the City Marina property, if Mr. Lee Bender is willing to participate. Councilman Sexton stated he has talked with Mr. Bender and he is willing to enter into the lease agreement.

## **II. CITY ATTORNEY'S REPORT**

**D. Community Action Agency.** Attorney Nunn informed the Council that he is awaiting additional documents from Attorney John Kelly before he can make a recommendation on the transfer of ownership of the Community Action Agency.

## **III. MR. ARTHUR CAPERS – VINYL SIDING REQUEST**

Councilwoman Jean Martin stated the Historic Commission has adopted a set of guidelines for historic districts and recommends the Council support the decision of the Historic Society to deny the request of Mr. Arthur Capers to place vinyl siding on his home located in the historic district. Councilwoman Martin suggested Mr. Capers go back to the Historic Society for further discussion and possible alternatives to vinyl siding.

A brief discussion followed and President Evans stated there appears to be conflicting recommendations made in regards to vinyl siding in the historic district and presented pictures of houses in the historic district that have vinyl siding. Councilwoman Crenshaw stated since research over the last three years does reveal that a house was granted a variance by the City Council, she would have to support the request of Mr. Capers. Councilwoman Franklin stated she supports the decision of the Historic Society but she is concerned about unequal application of the law. A motion was made by Councilwoman Crenshaw to grant a variance to Mr. Arthur Capers and allow him to place vinyl siding on his home on Furniss Avenue. Councilwoman Sewell seconded the motion and it carried with a majority vote of the Council. There were six affirmative votes and three negative votes. Council members Franklin, Sexton and Martin cast the negative votes.

Mayor Perkins stated it is his recommendation that a committee be appointed to research the ordinance that gives Council authority to override the actions of the Historic Society.

## **IV. YOUTH IN GOVERNMENT**

Councilwoman Sewell informed the Council that the first organizational meeting of the 2002-2003 class of Youth in Government was held on Tuesday, September 24<sup>th</sup> at 5:00 p.m. Councilwoman Sewell stated Council members will be invited to have more participation with the youth this year by meeting with the group once per month to share problem solving techniques.

## **V. STANDING COMMITTEE REPORTS**

### **RECREATION COMMITTEE REPORT**

There was no report from the Recreation Committee.

### **ADMINISTRATIVE COMMITTEE REPORT**

There was no report from the Administrative Committee.

### **PUBLIC SAFETY COMMITTEE REPORT**

Councilwoman Franklin informed the Council that a Neighborhood Watch meeting was held last Thursday for wards one, two, three and four. Councilwoman Franklin stated Council members were disappointed that the meeting was poorly attended.

### **COMMUNITY DEVELOPMENT COMMITTEE REPORT**

There was no report from the Community Development Committee.

V. **STANDING COMMITTEE REPORTS**

**PUBLIC WORKS/GENERAL SERVICES COMMITTEE REPORT**

Councilman Sexton informed the Council that officials from CSX railroad should be held accountable by fulfilling its obligation to complete railroad repairs.

**DISCRETIONARY FUND COMMITTEE REPORT**

There was no report from the Discretionary Fund Committee.

VI. **CITIZENS CONCERNED ABOUT PUBLIC SAFETY**

Mr. Gene Hisel spoke on behalf of a group of business people within the city of Selma. Mr. Hisel commended city officials on the present efforts to resolve the rash of criminal activity and stated the group is concerned about heightened criminal activity. Mr. Hisel presented a resolution adopted by the group of concerned citizens. The resolution resolves citizens need to feel safe with living in Selma and suggested city officials' work together to resolve the security issues in our city. President Evans stated the Council and Mayor share in the concerns of the group regarding the Selma Police Department and assured them that security is a number one priority. Mr. Ronnie Leet spoke briefly, reiterating Mr. Hisel's sentiments regarding the security issues. Mayor Perkins thanked the group of business people for their involvement in this issue and urged them to stay involved in this process of government. The Mayor stated he would continue to work with the Selma Police Department, Chief Green and the Council to resolve the rash of criminal activity in our city.

VII. **VICTORY LIFE INSTITUTE TUTORIAL & PERFORMING ARTS PROGRAM**

Mrs. Naomi Johnson, Dr. Davis Stephens and Ms. Ayanna Smith were present to address the Council regarding the Victory Life Institute Tutorial and Performing Arts Program. A brief overview of the programs was discussed and literature distributed to each Council member. Councilwoman Crenshaw thanked Dr. Stephens and his staff for appearing before the Council and stated possible assistance with funding could be done by donations from discretionary funds.

VIII. **CONCORDIA COLLEGE 5K RUN**

Councilwoman Sewell stated Mr. Stanley Jordan had made a request to appear before Council to request permission for Concordia College to host its annual 5K Run. Councilwoman Sewell made a motion that Council go on record approving the request of Concordia College to host the annual 5K Run. Councilwoman Crenshaw seconded the motion and it carried with a unanimous vote of the Council.

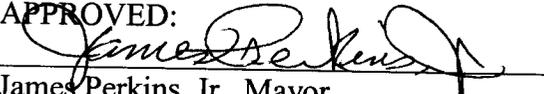
IX. **MR. ADNEY TAYLOR**

Mr. Adney Taylor stated he was present to address the Council as a concerned citizen. Mr. Taylor discussed crime and funding for the Selma Police Department; the West Nile virus and suggested another truck be designated for mosquito spraying; unpaid garbage fees and fines; and a possible ban on smoking in public restaurants. President Evans stated Council previously discussed smoking in restaurants and asked Attorney Nunn to revisit this matter.

There being no other business to come before the Council, on motion made Councilwoman Franklin and seconded by Councilwoman Sewell, the Council voted by unanimous consent to adjourn at 6:25 p.m.

  
George P. Evans, President

ATTEST:  
  
Jacqueline T. Smith, City Clerk

APPROVED:  
  
James Perkins, Jr., Mayor

**RESOLUTION  
NATIONAL REGISTER RE-NOMINATION  
OLD TOWN HISTORIC DISTRICT  
WATER AVENUE HISTORIC DISTRICT**

**WHEREAS, the Alabama Historical Commission gave a matching grant for a survey to update Selma's Old Town and Water Avenue Historic Districts; and**

**WHEREAS, both districts are already listed on the National Register and the survey was conducted to update the listing to be compatible with Alabama Historical Commission format; and**

**WHEREAS, the resurvey did include straightening the Franklin Street line to include from Dallas Avenue to Jeff Davis Avenue and extend Water Avenue from Franklin Street to Martin Luther King, Jr., Street, which was already under local Historic Commission guidelines; and**

**WHEREAS, the survey is completed and the local preservation commission and chief local elected officials must transmit to the Alabama Historical Commission as to their opinion as to whether or not the property meets the criteria for listing on the National Register.**

**NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Selma, on behalf of the Selma Historic Development Commission and the Mayor as chief local elected official, submit the City of Selma's opinion that the Old town Historic District, with additions, and the Water Avenue Historic District with extension, meets the criteria for re-listing on the National Register of Historic Places.**

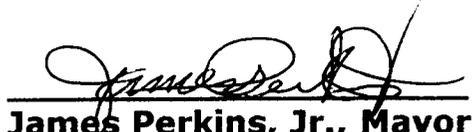
**ADOPTED THIS THE 23rd DAY OF September 2002**



**George P. Evans  
President, Selma City Council**

**ATTEST:**

  
**Jacqueline Smith  
City Clerk**

  
**James Perkins, Jr., Mayor  
City of Selma, Alabama**