

**MINUTES OF THE SELMA CITY COUNCIL  
AUGUST 27, 2007  
5:00 P.M.**

Call to Order

Invocation: Reverend Mark Dukes, Pastor  
The Freedom Foundation

Moment of Silence  
Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, August 27, 2007 at 5:00 p.m.

**ROLL CALL**

The following members were present during roll call: Council President George Evans and Council members Reid Cain, Jean T. Martin, Geraldine Allen, Johnnie M. Leashore, Samuel Randolph, Bennie R. Crenshaw and Jannie M. Venter. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, Assistant City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Darlene Rudolph. Councilman Williamson was absent from the meeting due to illness.

**APPROVAL OF AGENDA**

President Evans asked for the approval of the agenda items. A motion was made by Councilman Cain and seconded by Councilwoman Martin to approve the agenda as written. **The motion passed with a unanimous (show of hands) vote of the Council members present.**

**APPROVAL OF MINUTES**

After approval of the agenda, President Evans asked for a motion to approve the minutes of the August 13, 2007 meeting. A motion was made by Councilman Cain, and seconded by Councilwoman Martin, to table the minutes. **The motion passed with a majority (show of hands) vote of the Council members present. There were five ayes and three nay votes. Councilman Randolph, Councilman Leashore and Councilwoman Crenshaw each cast a nay vote.**

**CITIZENS' REQUESTS**

Attorney Jimmy Thomas

Re: Drug Task Force

A motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve the appropriation of \$10,000.00 to the Drug Task Force. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

Mr. Jesse Garza

Re: The Gathering Place RV Parking

**MAYOR'S REPORT**

**A. Abatement of Taxes – Application to Local Granting Authority.** Mayor Perkins stated this is an issue specific to Bush Hog, LLC. Mayor Perkins further stated this is a part of the Team Selma's Business Retention Initiative. Mayor Perkins stated to Council if they recall, Bush Hog was seriously considering building a new plant at Selfield Industrial Park, but instead of doing that, they have made the decision to modernize and reengineer their existing facility here in Selma. Mayor Perkins stated he would like to remind the Council that this Abatement does not apply to any school taxes, and will not affect public school funding. Mayor Perkins further stated this initiative contains 700 – 800 jobs for our community. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to accept the Tax Abatement Agreement with Bush Hog, LLC. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

**B. WilsonPrice Invoice – Dated June 27, 2007 – July 7, 2007.** Mayor Perkins discussed the professional services that were itemized in the invoice received from WilsonPrice. Mayor Perkins stated the invoice attached reads for Professional Services rendered as follows: "Services related to research, internal consultation, various conference calls with Mayor Perkins and Ms. Cynthia Mitchell, Preparation of Responses, Attendance at May 29, 2007 Council Meeting". Mayor Perkins further discussed that there was an itemization listing a "Response to Councilman Cecil Williamson's request for additional information", as well as, the dates, and also a "Response to Councilman Reid Cain's request for additional information", and those dates listed, as well. Mayor Perkins asks Council favorable consideration in authorizing the payment to WilsonPrice in the amount of \$9,850.00, for said charges. During discussion, Councilwoman Crenshaw stated, "this Council should not take responsibility to pay a bill by individual

**MAYOR'S REPORT**

council persons". Councilwoman Crenshaw further stated, "in section 7, it states individual council persons acting alone have no greater power or authority than any other council or citizen of a municipality; the city council can only act as a body at a legal convened meeting". Councilwoman Crenshaw also stated, "when this issue is voted upon I will make this a matter of record for the minutes, when I do vote, I will vote not to pay this bill". Councilwoman Allen asked, "how are they (WilsonPrice) estimating the amount of money versus time frame?" Mayor Perkins responded and stated to Council that what they have is what he has received, and would encourage the Council if they continue to negotiate this, "I encourage the Council to formulate a committee and talk directly with the Firm because I am becoming a little embarrassed by continuously going back to them, and almost implying that we don't believe what they are saying to us". Councilwoman Allen stated, for the record, "I am not trying to say that anyone is doing anything that is not correct but I do believe we need to know the appropriation of time versus money". Following discussion, President Evans stated the Council would take no action, and would table this item, for the purpose of discussion, prior to the next Council meeting.

**C. Contract with Dallas County – Printing of Tax Bills and Abstracts.** Mayor Perkins stated this Contract is done annually with the County, for the purpose of printing the tax notices. Mayor Perkins asks Council favorable consideration of the Contract. A motion was made by Councilman Leashore, and seconded by Councilwoman Martin, to approve said Contract, in the total amount of \$4,456.35. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

**D. FY 2007-2008 Budget Meetings.** Mayor Perkins stated to Council, as they are aware, they have already had one budget review meeting with Council, but regrettably it was sparsely attended, and he encourages the Council to take note of the next two dates, which are: Wednesday, August 29, 2007 at 6:00 p.m., and Tuesday, September 4, 2007, at 5:00 p.m., in the Council Chambers. Mayor Perkins asks Council to make themselves available to go over the details of the Budget at the scheduled Budget meetings.

**E. Capital Bond.** Mayor Perkins stated to Council that the City has about \$2.6 million in a fund that the City can only use to pay bond debt, and further stated since he has been in office they have retired all but one bond, and that the City only has one outstanding bond. Mayor Perkins stated this fund is growing much faster than the debt the City has to service, and if the City does not use this money by coming up with a creative way to use the money, by issuing another bond then the City cannot use it. Mayor Perkins further stated if the fund continues to grow up to the maturity date of the existing bond it will end up in excess of \$9 million. Mayor Perkins stated they are looking at coming up with capital projects, and that a sample list was included in the first draft of the budget, and they will come back with a more comprehensive list, in the next draft, so that they can get citizen and public input on their priorities on the possible projects that they want the City to proceed with. Mayor Perkins stated this is the strategy in which they are trying to go with. During discussion, Councilman Cain asked, "with a bond issue strictly to pay bond debt, and they have over \$2.5 million according to what the Mayor just stated, why don't we just go ahead and pay off our bond?" Mayor Perkins responded, and stated if the City ends up without any bond debt at all, the City loses its ability to raise money to pay off bond debt because it automatically goes away. Mayor Perkins further stated in response to the question of the bond being separate from the budget, they are two separate processes but this is one of these instances where they need to be multitasked, and need to "actually run these down the track, even though they are on separate tracks, at the same time" because if they do not, then all of these capital initiatives that they are proposing to pay off, the capital investments that they can use the bond to pay off that they are currently paying for the general fund, will be shifted back to the general fund, thereby significantly increasing the expenditures for the general fund. Mayor Perkins stated to Council this was discussed at the first budget hearing, but he wants them together, to go through the details of these transactions.

**F. Resolution – R242-06/07 – Budget Amendment - Transfer of Funds.** Mayor Perkins stated he would like to ask Ms. Cynthia Mitchell to come forward to address the council as it relates to Resolution #R242-06/07 and the following resolutions below-stated. Ms. Mitchell read the said resolution in its entirety, as it relates to transferring \$10,000.00 from an unfilled position in the Police Department's Salaries line item (1.6100 103.0) and transferring the same to the Public Works Department's Vehicle Repair & Maintenance line item (1.6200 126.0) to cover transmission and engine repairs on three (3) police vehicles. A motion was made by Councilman Randolph, and seconded by Councilman Leashore, to approve the said resolution. **A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were seven ayes and one nay vote. Councilman Cain cast a nay vote.** Following roll call, Mayor Perkins stated, for the record, Fleet Maintenance is a division within the Public Works Department, and they are simply moving money from the Police Department to repair police vehicles. Councilman Cain stated, for the record, Fleet Maintenance has over \$100,000.00 in it to take care of repairs and maintenance of all City vehicles.

**G. Resolution - #R247-06/07 – Purchase of Three (3) Litter Vacs - Bid.** Ms. Mitchell continued to address the Council. Ms. Mitchell read the said resolution in its entirety, as it relates to the City of Selma entering into a lease agreement with Regions Equipment Finance Corporation for the cost of three (3) Litter Vacs with the funding from the State Gasoline Excise Tax Fund (11.4000.400.41) for a total contract cost of One Hundred Two Thousand Three Hundred Eighteen and Fifty-Nine Cents (\$102,318.59), with a monthly payment of \$1,912.18 and a 4.60% interest rate, beginning September 30, 2007. A motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve the said

### **MAYOR'S REPORT**

resolution, as amended, to reflect a monthly payment of \$1,912.18, for said equipment lease. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

**H. Resolution - #R241-06/07 - Amend Budget – Transfer of Funds.** Ms. Mitchell read the said resolution in its entirety, as it relates to amending the budget by transferring \$30,154.00 from an unfilled position in the Public Works Department's Salaries line items to the Public Works Department's line items as outlined in said resolution, to allow for the repairs on City vehicles and balance accounts that are over budget. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve the said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

**I. Length of Service Recognition Awards.** Mayor Perkins stated he would like to present Certificates of Service in recognition of the following employees: Chief Henry Allen, Selma Fire Department; Thirty-Five Years of dedicated service to the City of Selma; Police Officer Sandra Washburn, Selma Police Department, Twenty Years of dedicated service to the City of Selma, and Mr. Jasper Bowie, Selma Police Department, Ten Years of dedicated service to the City of Selma. Mayor Perkins stated he would like to thank them for their years of dedicated service to the City of Selma. They were also presented with Longevity Pins.

### **CITY ATTORNEY'S REPORT**

**A. Election Calendar.** Attorney Nunn stated he had provided an Election Calendar to the Council about a month ago, and as of yesterday, August 26, 2007, is the first day that candidates for municipal elections can begin to raise money for their campaign, per Section 17-22-(A)(7-B-2), under General Law.

**B. Ordinance #O122-06/07 – Conveyance of Property.** Attorney Nunn stated during the last Council meeting, the City Council approved the transfer of the East Selma property by the Pond Project, and has prepared an Ordinance as it relates to the transfer, for the Council to review, in an effort to be placed on 1<sup>st</sup> Reading. Attorney Nunn further stated this Ordinance relates to the conveyance of property to Jonathan Daniels Community Development Corporation for the Purpose of Developing Residential Housing within Ward 8. During discussion, a motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to place said Ordinance on 1<sup>st</sup> Reading, for consideration of passage at the next Council meeting. **The motion passed with a majority (show of hands) vote of the Council members present. There were seven ayes and one abstention. Councilwoman Allen abstained from voting, due to the fact that she is a member of the Johnathan Daniels CDC Board.**

**C. Resolution #245-06/07 – Pest Control Bid.** Attorney Nunn stated this Resolution is being presented to the Council concerning the bid proposal on the Pest Control Services. Attorney Nunn further stated Terminix International Company was the lowest responsible bidder, in the amount of \$3,540.00 for the year, and \$295.00 per month, for Twenty-Four Facilities. Attorney Nunn asks Council approval and consideration of the same. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve said Resolution in the of \$3,540.00 for the year, \$295.00 per month, for Twenty-Four Facilities, from line item 1.6000 117-0, under General Government. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

**D. Resolution #244-06/07 – Fuel Bid.** Attorney Nunn stated this Resolution is being presented to the Council concerning the gasoline and diesel fuel bid. Attorney Nunn further stated Cougar Oil Company was the lowest responsible bidder, in the amount of 2.0267 per gallon for Regular Unleaded Gasoline, 2.1082 per gallon for Unleaded Midgrade Gasoline, 2.2442 per gallon for Unleaded Premium Gasoline, and 2.1867 per gallon for Diesel Fuel. Attorney Nunn asks Council approval and consideration of the same. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to approve said Resolution in the amount of 2.0267 per gallon for Regular Unleaded Gasoline, 2.1082 per gallon for Unleaded Midgrade Gasoline, 2.2442 per gallon for Unleaded Premium Gasoline, and 2.1867 per gallon for Diesel Fuel. **A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were seven ayes and one abstention. Councilman Cain abstained from voting.**

**E. Heritage Village County – Printing of Tax Bills and Abstracts.** Attorney Nunn stated we have been forwarded documents concerning the Heritage Village property. Attorney Nunn further stated to Council if they recall, the Council approved the transfer, and he has received documents from their Attorney concerning the same. Attorney Nunn also stated they will be reviewing the documents, and once the changes and/or amendments are made to the document itself, he will inform the Council that the document has been forwarded back to his office, and will then proceed to file it in the Probate Judge's office.

**F. Mia Jacobs-Turner, CSR, Official Court Reporter – Invoice – City of Selma , et al. v. Kindaka Sanders, et al.** Attorney Nunn stated to Council that they should have before them an invoice form Mia Jacobs-Turner, as it relates to \$448.25, which is the final invoice on the Court Reporter's fee for the City of Selma, et al., Appellant v. Kindaka Sanders, et al., Appellee, Appellate Number 1060672. Attorney Nunn further stated this is the final bill for the transcript that is required for them to purchase. Attorney Nunn asks Council approval and consideration of the same, in the amount of \$448.25. A motion

**CITY ATTORNEY'S REPORT**

was made by Councilwoman Venter, and seconded by Councilwoman Martin, to approve payment of said Invoice in the amount of \$448.25. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

**G. Hollman's Case - Update.** Attorney Nunn stated he contacted Mayor Perkins as it relates to an update on Wednesday of last week, and he stated he had not received an update from the ABI as of yet, and Chief Martin confirmed that there has not been any updates, to-date. President Evans stated this item will be continued until next Council meeting.

**BUSINESS ITEMS:**

**I. COUNCIL'S WORK SESSIONS**

President Evans stated to Council, as they are aware they did not have a work session on last Thursday. President Evans further stated he was going to be out of town, and after talking with Councilwoman Martin, she had some concerns about being there. President Evans also stated he polled other Council members, and based upon the report he got, they did not have a quorum, so he suggested that they would not meet for a work session.

**II. RULES AND PROCEDURES FOR GOVENRING THE DELIBERATIONS AND MEETINGS OF THE CITY COUNCIL (SECTION XXXIII)**

President Evans stated there was a meeting this morning between Mayor Perkins, Councilwoman Allen, Councilwoman Martin, Ms. Lois Williams, Mrs. Darlene Rudolph, Ms. Jones, Chief Jimmy Martin, and Attorney Jimmy Nunn, concerning the incident during last Council meeting, whereby a Police Officer failed to respond to a request made by the Council President. President Evans further stated he feels this matter has been resolved to the satisfaction of the members present, from the standpoint of Rule 33 being in effect and policy, and he does not think that any more discussion needs to be done as it relates to this matter. Councilman Cain asked President Evans, what is going to be the policy in the future as far as an officer goes, how are they supposed to conduct unruly behavior of a council member"? President Evans stated in response, that it is "the policy; the current policy that is there and written will be followed". President Evans further stated they all agreed that, "if in fact an officer comes to a council person and asks him or her to remove themselves from this chamber for being disruptive or whatever the case may be, then if that council person chooses not to still leave, the Chair will call for an adjournment of this council, and then of course, the Council will have the duty to go back into session at some point and time, to address that issue". President Evans also stated the Rules that as is written is in place, and will be followed accordingly. President Evans stated Chief Martin will inform all of the Police Officers of this Rule that is in effect. Councilman Cain asked whether or not these questions came up in the discussion this morning?: (1) "Is an officer required to give his/her name and badge number, if requested?" President Evans stated in response, "this question did not come up this morning". Councilman Cain also asked, (2) "Did the role of Officer James Walker in the Council Chambers during Council meetings come up?" President Evans responded by stating, "we did discuss this, and that Officer James Walker is a sworn officer to carry out the duties of a sworn officer while he is in these Chambers, and he does advise other officers in terms of how to use discretion in making decisions". President Evans further stated, "this is what came from Chief Martin, in terms of Officer Walker's ability and authority".

**III. SELMA WATER WORKS & SEWER BOARD APPOINTMENT - RESOLUTION**

President Evans stated to Council that they should have received from him a copy of a letter from Attorney Kelly, explaining the rights of an official who has been placed there, and that they as a Council have no jurisdiction to go and remove anyone at this point, and that the only way a person can be removed is through impeachment, or it can be taken to a higher means of court; the Ethics Commission or some other court to address the matter. President Evans further stated that is the rationale, and he thinks that they need to allow the court system or the Ethics Commission to deal with it, and they as a Council not take it into their hands any further. Councilman Leashore stated to President Evans that he would like the resolution read, and placed into the record. President Evans stated to Councilman Leashore, "as he had said before, we would read the resolution and if you would like for each council person to get a copy of it, that's fine, if you want to ask that it be attached to the minutes, that's fine, but I don't think it is necessary for us to read a resolution that we're not going to act on." Councilman Leashore stated to President Evans that he would like for the citizens to note the content of that resolution" and, therefore, respectfully request that this Council allow the Attorney to read that resolution into the record so that it can be made an official matter of this Council meeting, and it is nothing wrong with that, "Mr. President". President Evans stated, "my only rationale on that, Councilman Leashore, is that reading a resolution that this Council is not going to take any action on will be in violation of the rights of a citizen, who is appointed there; I think we're treading on a real legal problem there, and I, as Chair, unless the Council members want to overrule the Chair on it, I think it will be duly noted that you have asked that, and that particular document can be attached to the minutes of this meeting, and any citizen who would like a copy, can come by and get a copy. Councilman Leashore stated to President Evans, if he recalls from the last meeting, "there was a motion put on the floor that this resolution be adopted, and you ruled that resolution out of order, and, therefore, I made a similar motion that the same resolution be allowed to be read into the minutes". President Evans stated to Councilman Leashore, "I did deny that the motion come to the floor on that, Mr. Leashore; I allowed the motion to come to the floor and

**BUSINESS ITEMS:**

I had no problem with the 'motion' being read; however, we were not going to act on that resolution. That is what I said and we got into a discussion about that, check your minutes, and we had Council members who felt that I was incorrect and wrong to allow it to even be read, and that is where the discussion came from". President Evans further stated, "basically we had a motion to read it and I had no problem with it, but since that time, I have gotten information that says that possibly we may be 'treading on quick sand' with this matter, and I have chosen now to take the position that we should not read a resolution has no bearing on us as a Council, because we have already made our decision to appoint an individual to the Water Board, and now it is out of our hands to do anything further on that". President Evans stated, "we cannot go back to rescind that, nor change that". Councilman Leashore stated to President Evans, "I beg to differ, Mr. President; there is no legal ramification simply because we've received a letter from Attorney Kelly that prohibits us from moving forward with this; his letter doesn't mandate law, Mr. President, and I am respectfully asking that his resolution be read into the minutes". President Evans stated to Councilman Leashore, "your Attorney on the Water Board, if he remembers, came to them sometime ago, and said to them, 'under no circumstances' that if in fact a Water Board person has been named by this Council to the Water Board, their jurisdiction in that venture is over once the appointment is made". President Evans further stated, "they as a Council voted to place Councilwoman Allen on the Water Board, be it whatever means the legal matters that someone wants to question, they have done that, and the legal course now is for the Water Board to appeal the decision of this Council through going to the Ethics Commission or the Supreme Court, and so forth". Presidents Evans also stated, "as far as this Council is concerned, in my opinion, we have no jurisdiction, and I am basically going to say that I will call it out of order to read that resolution at this meeting, and if the Council members want to over-rule that decision, I can stand by that, but I don't see where we can gain anything by reading a resolution that basically says the same thing that we read in the paper and everywhere else pertaining to what happened in that situation". Councilman Leashore stated to President Evans, "for the record, Mr. President, the actions of this Council that was taken was outside of the law; therefore, outside of the law is what this resolution was trying to get this Council to go back and work within the law for whatever reason, I don't know why you, Mr. President, don't want the citizens to know that this Council, in essence, violated the Ethics law by allowing that vote to go forward". Councilman Leashore further stated, "the Ethics Commission has indicated that this Council needs to go back and undo what was did". Councilwoman Crenshaw stated, "Mr. President, I think that it can be a long debate and I think that was probably why our meeting ended abruptly the last Council meeting". Councilwoman Crenshaw further stated, "I think right now to not allow the resolution is a violation of Mr. Leashore's due diligence to the citizens, to let them know what the content of that resolution is". Councilwoman Crenshaw stated, for the record, "I would like to move that we over-rule the Chair, seconded by Councilman Leashore, and make it a matter of record to our citizens that we do want them to know what we're doing and the way you do that is to let them know, and so I would like to move to over-rule the Chair, and make it a matter of the minutes, so the citizens that are asking what is in that resolution would know that we tried to get them the information, and we were unable to do that". Councilwoman Allen stated, "Mr. President, I have to respectfully say that my colleague, Mr. Leashore, was not telling the truth when he stated that this Board, this City Council, was violating the Ethics Law". Councilwoman Allen further stated, "I will now refer that again to Attorney Nunn who also indicated in a second letter of the determination of that fact; so I want that to be known because he is misleading the public". Councilman Leashore stated, "Mr. President, I have the State Law; will it be in order if the Attorney read the State Law, and it reads . . ." President Evans stated to Councilman Leashore, "you are out of order; and that's the problem I have with you; you disrespect the gavel, and you want to read something that was placed back there on the table that everyone got a copy to read for themselves, and now you come and want to 'fire' the Chair because it has to be 'your way', and that is not right". President Evans stated to Council that a motion is on the floor, and he called for roll call on the motion. In the interim, Councilman Cain stated, "Mr. President, one question on that, according to what Councilman Leashore just stated, Councilman Crenshaw and Councilman Leashore can't 'motion or second' because they have a special interest on the Water Board, and they can't even vote". President Evans called for roll call on the motion, voting yes to over-rule the Chair based upon Councilwoman Crenshaw's request, or you vote "no" not to over-rule the Chair. **A roll call vote was taken and the motion failed due to a tie vote; there four ayes and four nay votes. President Evans, Councilman Cain, Councilwoman Martin, and Councilwoman Allen each cast a nay vote.** President Evans stated, "it would take five votes to over-rule the Chair, or a majority vote on the decision to over-rule the Chair; therefore, the vote for denying that has failed, and thus, the record of the resolution will be given to the secretary for the benefit of the record, and any citizen who is listening on the radio, or who is here tonight and would like a copy, please contact the Council's office, and they would make it available to them. President Evans further stated he would like to ask the Mayor and IT to place this resolution on the webpage, and everybody can see it for themselves. Councilwoman Allen stated, "Mr. President, I would also ask then, if you're going to place that on the web, that you also place the letter that was sent to us by Attorney Kelly". President Evans stated to Councilwoman Allen, that if the Attorney who sent the letter to them has no problem with that, then he has no problem with that being there. President Evans further stated that it is a Council's decision, and it was only a mere suggestion from him, as President, to do that, and they will move forward with that. Councilman Leashore asked President Evans, if they could also add that law to the website, the law that "you prevented me from reading". President Evans stated to Councilman Leashore that he does not have a problem with the law being there. President Evans further stated there are letters from Attorney Nunn, and that they will put all of that on the web, and he asked Attorney Nunn to assist him with getting approval "to put everything on there for a certain length of time, at least maybe between now and the next Council meeting; the letter from Mr. Hugh Evans, along with the letter from Attorney Kelly, and the letter from Attorney Nunn, as well". Councilwoman Crenshaw asked, "Mr. Chair, are you saying to make sure to get the one (letter) where the Ethics Commission initially asked for a 're-do' on the vote?" Councilwoman Crenshaw also stated, "I think

**BUSINESS ITEMS:**

that's very important to put that one in there, and the one after the vote was taken, it was then said that 'they' would not take a salary". President Evans stated, "as I said, everything that pertains to this should go there, so that citizens can see for themselves".

**IV. STOLEN MILLION DOLLARS - UPDATE**

Councilwoman Crenshaw stated to President Evans that she is happy to see so many people at tonight's Council meeting, and she asked for a concerted effort from the citizens because there was probably more than a million dollars stolen, and she is asking for some help in trying to "recoup" that money. Councilwoman Crenshaw further stated she was personally asking the citizens to assist the Council in finding ways to "recoup" the millions of dollars that were stolen from the City, so as to show a concerted effort that they are working for the betterment of this City. Councilwoman Crenshaw requested that the citizens follow-up with Attorney Nunn, any ideas that they may have as it relates to this matter.

**V. SELECTION ON SCHOOL BOARD MEMBERS - DISCUSSION**

Councilman Leashore stated to President Evans that he thought the School Board had gone without a full "slate" of Board members for far too long. Councilman Leashore further stated he had spoken with the former Chair, and asked if they could forego the vacancies until they had a report back from the court, and the court has rendered a resolve of the Consent Decree; therefore, he thinks they need to go ahead and make those two appointments now. Councilman Leashore stated since that time it has been a third vacancy. Councilman Leashore made a motion, seconded by Councilwoman Venter, to make the school board appointments tonight from the list of candidates that they have interviewed. Councilwoman Martin asked if this item can be tabled until the decision to have an appointed vs. elected school board has been decided. Councilwoman Allen stated she concurs with Councilwoman Martin, and that she thinks they have enough members that can carry on business at this time, and they are very interested in the elected vs. the appointed School Board, and they only have one more public hearing. Councilman Leashore stated the Selma City School Board is governed by Constitutional Law, and is comprised of 11 Board members. Councilman Leashore further stated he thinks they will be doing the School Board a disservice if they do not get the Board back up to full capacity, "even though there are no problems now, who knows what tomorrow brings". Councilman Leashore also stated he thinks that the fact that there have been citizens that have made application, volunteering to serve on this School Board, they need to go ahead and do their due diligence and get the School Board back up to capacity. Councilman Leashore stated an elected school board is not going to take place over night, and it will not take place during this administration, and that it is a long process. Councilwoman Allen stated, "Mr. President, I will have to say, too, that I'm concerned about the discussion that has been made by those who are on the Board about them getting \$600 a month, and with such a large number, that would be a large amount of money that would have to be appropriated for this Board". Councilwoman Allen further stated, "I was on that Board, and you are correct Mrs. Martin, we were quite laughed at, at times when they said we had 11 of us, and they would ask, 'are all of you paid?', and at the time, of course, we were not paid; we were giving our services free, and I just think that it would cause an increase in a monetary way if we have 11 times \$600, if it is approved". Councilman Leashore stated, "Mr. President, once again, plain and simple, this School Board is governed by Constitutional Law; the \$600 that they paid themselves was in violation, and to my understanding, the Attorney General required them to pay it back". Councilman Leashore further stated, "in order for them to be able to be compensated that Constitutional Law is going to have to be repealed". Councilman Leashore stated, "Mr. President, it's going to take a long process for that to happen, and I don't see 'no' School Board Member being paid \$600; once again, we've got to get this School Board back up to full capacity". Councilman Leashore also stated, "we're waiting around because we're pursuing an elected school board, and I am for that; as a matter of fact, I am the one that brought it to this Council but at the same time we cannot handicap this Board by not going forward with bringing them back up to full capacity simply because we are hoping and Praying for an elected school board; there is not going to be \$600 paid to a school board member, Mr. President, so funding is not going to be a problem; there will not be any monies paid". Councilman Leashore stated, "we need to go ahead and get this School Board back up to full capacity". Councilwoman Crenshaw stated, "Mr. President, I've always felt this total issue should be in the hands of the people, even at our initial public hearing I chose not to sit with the Council members because I felt it should be a meeting of the people". Councilwoman Crenshaw further stated, "still even if we put the other two or three members on the Board, I still think it should be dealt with by the people, and I don't know how we can get it out to them to get their response on how we ought to do this because basically it is up to them; I don't know if we could do it in the form of getting out a survey asking them if they would prefer that we as a Council make the decision or not". Councilwoman Crenshaw also stated, "Mr. President, I think that we are going to have to get a committee somehow to get to the people so the people can have some input on whether we need to do that or wait until we could find a way to get an elected or whether we continue with an appointed Board". Councilman Crenshaw stated, "Mr. President, I would say that at our next public hearing we need to have something to bring to the people; maybe have a meeting before we meet with the people in order for them to make a decision on telling us what to do about this situation". **President Evans stated a motion is on the floor to move forward with the appointment of new school board members, and asks Council for a "show of hands" of those in favor in moving forward with appointing new board members. There were three ayes and four nay votes. President Evans, Councilwoman Cain, Councilman Allen, and Councilwoman Martin cast a nay vote. Councilwoman Crenshaw abstained from voting. President Evans further stated the appointment of school board members failed due to lack of a majority vote of the Council members present. Councilwoman Crenshaw stated she thinks it is important that they as a**

**BUSINESS ITEMS:**

Council do something, and asked President Evans what is he proposing that they do in order to get it to the people so that they can have input. President Evans stated that they are going to try and come up with a second meeting date of the public to give them feedback, and they can make that a part of that meeting, as well. President Evans further stated from the initial public hearing, the ones who did fill out the survey did reflect that 25 of the individuals wanted appointed, and 47 wanted elected, based on the survey that was done, and that was only a small portion of our citizens. Councilwoman Crenshaw stated to President Evans that they as a Council need to move forward and have the people to understand that they want their input on it, and as soon as they can have the hearing, they as a Council need to get into the school systems with the PTO's and the parents, and see what they have to say about it, and then come back with a decision as to what they are going to do, at least by the Council meeting after next. President Evans asked Councilwoman Crenshaw, Councilman Leashore, Councilwoman Allen, and any other Council member who would like to serve on that committee, to come up with a plan of action for this issue. President Evans stated to Council that at the next Council meeting he would like for them to be prepared to set a date for the next public hearing.

**VI. REQUEST FOR BADGE AND DUTY WEAPON – DETECTIVE CLINTON PEOPLES**

Councilman Cain stated Detective Clinton Peoples had presented the Council with a letter for his badge and duty weapon, and there was some issue that was uncertain as far as the situation was concerned, and it was tabled. Councilman Cain also stated Detective Peoples is not with the Police Department any longer because he is on disability through a work-related incident. Councilman Cain stated he would like to make a motion, seconded by Councilwoman Martin, that they provide Detective Peoples with his badge and duty weapon. President Evans stated if he was not mistaken the delay was based upon the question as to whether he retired to go into another position, and that was the issue. Councilman Leashore stated he thought if he retired for a medical reason, it would be something that the Council could consider, but he does not know the status of that, and asked Attorney Nunn if he had any knowledge of that. Attorney Nunn stated he thought the conclusion was that the Council would not honor that request, but that he would go back and research this issue, and report back to the Council at the next Council meeting. During discussion, Councilman Cain withdrew his motion, and Councilwoman Martin withdrew the "second", to await a report back from Attorney Nunn after he has researched this issue.

**VII. LAW ON CLUBS OPERATING AND SELLING ALCOHOL AFTER MIDNIGHT ON SATURDAY NIGHTS**

President Evans asked Attorney Nunn to research this item, and report back to the Council at the next Council meeting.

**VIII. RESPONSE TO CLEANING DITCHES ON LaFORET, TIPPET AND BELL RIEVE DRIVE**

Councilman Cain stated to President Evans that he has submitted two requests to the Mayor's office on June 29<sup>th</sup> and July 26<sup>th</sup>, asking to have appropriate personnel assigned to clean the ditches between Tippet, LaForet and Bell Rieve Drive, and still no response to this request; the only response that he has received was that it was assigned to the Public Works Department, but he does not know the status of that. President Evans stated he would follow-up with Mayor Perkins to try and get an update on this.

**IX. STREET SWEEPERS AND MOSQUITO TRUCK**

Councilman Cain stated he had placed this item on the agenda, to see where we are on that equipment in terms of what their schedule is, and what areas they are working in. President Evans stated he would try and find out what their schedule is. President Evans further stated when the question was raised at the last Council meeting as it relates to the mosquito truck, Mayor Perkins asked if they would call his office and put a request in, if you want the mosquito truck to come to your neighborhood, and that was the decision made on that when it was discussed. President Evans asked that he follow-up with Mayor Perkins with his request.

**X. COST-OF-LIVING ADJUSTMENT FOR RETIRED CITY EMPLOYEES (AMOUNT)**

President Evans asked Ms. Cynthia Mitchell what would it cost to pay retirees a cost-of-living adjustment, if they were to decide to do that. Ms. Mitchell stated last year retirees were paid a 4% cost-of-living adjustment, and it cost \$70,000.00.

**XII. SICKLE CELL FUND**

President Evans stated to Council that they need to meet at the next Work Session for the purpose of trying to determine the Council's decision on allowing the Sickle Cell organization to use the office space at the Good Samaritan Facility. President Evans asked Council to be prepared to make a decision at the next Council meeting.

**BUSINESS ITEMS:**

**XIII. UPCOMING CITY GOVERNMENT MEETINGS AND CONFERENCES**

Councilman Leashore stated to Council that they will need to register for the NLC meeting if they are planning to go to New Orleans, in November of this year. President Evans encouraged Council who are interested in attending to proceed with the registration if they are planning to go.

**STANDING COMMITTEE REPORTS**

**RECREATION COMMITTEE – Councilman Leashore, Chairperson**

No Report.

**ADMINISTRATIVE COMMITTEE – Councilman Dr. Cecil Williamson, Chairperson**

No Report.

**PUBLIC SAFETY COMMITTEE – Councilwoman Dr. Geraldine Allen, Chairperson**

Councilwoman Allen reported. Copy of minutes are attached.

**COMMUNITY DEVELOPMENT COMMITTEE – Councilwoman Bennie Ruth Crenshaw, Chairperson**

Councilwoman Martin stated we have a new City-Wide Tourism Project; October 19<sup>th</sup> and 20<sup>th</sup>; she is asking the Public Works Department and the Police Department to assist during this time with traffic, and etc. Councilwoman Crenshaw stated she wanted to share information on “National Neighborhood Day”, celebrated in neighborhoods across the country, on the 3<sup>rd</sup> Sunday in September (September 10<sup>th</sup> – September 16<sup>th</sup>). She further stated they have been notified about this from Community Outreach, and the mission of the “National Neighborhood Day” is to inspire and build, sustain the neighborhood relationships, and the building of stronger more caring and effective communities. Councilwoman Crenshaw also stated they could not have a better mission, and in Selma, Alabama that is something so vital for us to survive. Councilwoman Crenshaw stated she thinks some of the Council have agreed to come together, and she wants their constituents to know that they as a Council want their involvement in this, one open day where they come together and celebrate each other. Councilwoman Crenshaw stated she had chosen Friday as the day that she wants to celebrate “National Neighborhood Day”, on behalf of her Ward. Councilwoman Crenshaw further stated if anyone has any questions as it relates to this, she suggests that they call Ms. Sherri James of Community Outreach.

**PUBLIC WORKS COMMITTEE – Councilwoman Venter, Chairperson**

Councilwoman Venter reported. Copy of minutes are attached.

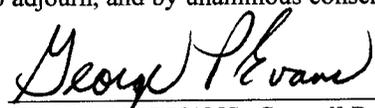
**DISCRETIONARY FUNDS COMMITTEE – President Evans, Chairperson**

No Report.

**CLOSING REMARKS BY EACH COUNCIL MEMBER.**

**ADJOURNMENT**

There being no further business to come before the Council, a motion was made by Councilman Leashore, and seconded by Councilwoman Venter, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 7:32 p.m.

  
\_\_\_\_\_  
GEORGE P. EVANS, *Council President*

**ATTEST:**

  
\_\_\_\_\_  
LOIS WILLIAMS, *City Clerk*

**APPROVED:**

  
\_\_\_\_\_  
JAMES PERKINS, JR., *Mayor*