

**MINUTES OF THE SELMA CITY COUNCIL  
SEPTEMBER 24, 2007  
5:00 P.M.**

Call to Order

Invocation: Reverend John Grayson, Pastor  
Gospel Tabernacle Church of God in Christ

Moment of Silence  
Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, September 24, 2007 at 5:00 p.m.

**ROLL CALL**

The following members were present during roll call: Council President George Evans and Council members 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, Accounting Supervisor Irma Roberts, and the Mayor's Executive Assistant Darlene Rudolph. Councilman Williamson was absent from the meeting due to illness. Councilman Cain was absent during roll call but arrived later at 5:17 p.m.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

After approval of the agenda, President Evans asked for a motion to approve the minutes of the September 10, 2007 meeting. A motion was made by Councilman Leashore, and seconded by Councilman Randolph, to approve the minutes of September 10, 2007. **The motion passed with a unanimous (show of hands) vote of the Council members present.**

**CITIZENS' REQUESTS**

Mrs. Nancy Sewell (*The Links*) and Mrs. Molly Gamble (*Arts Revive*)  
Re: Musical Concert (Cinque Cullar and The Tribe of Judah)

Mrs. Nancy Sewell  
Re: The Links 12<sup>th</sup> Annual Walk-A-Thon

Mr. Jesse Garza  
Re: The Gathering Place RV Park

Ms. Rosemary Sanders  
Re: Request to Install Speed Breakers

Mr. Maurice Sims  
Re: 27 Wayz Entertainment

A motion was made by Councilman Leashore, and seconded by Councilwoman Venter, for the City of Selma to go on record as being supportive of this project as an effort to uplift and encourage him. **The motion carried with a unanimous (show of hands) vote of the Council members present.**

**MAYOR'S REPORT**

**A. Length of Service Recognition Awards.** Mayor Perkins stated he would like to present a Certificate of Service in recognition of the following employee: Police Detective Frederick Walker, Selma Police Department, *Five Years of Dedicated Service* to the City of Selma.

**B. Selection of Bond Attorney – Maynard, Cooper & Gale.** Mayor Perkins stated he was seeking concurrence from the Council on the selection for a Bond Attorney. Mayor Perkins further stated he has communicated with the firm of Maynard, Cooper & Gale, and that Ms. Terri Sewell is also associated with that Firm. Mayor Perkins also stated he has communicated with Ms. Sewell and asked if she would consider this project, for consultation during this process. During discussion, a motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to authorize Mayor Perkins to proceed with contacting the firm of Maynard, Cooper & Gale, along with Ms. Terri Sewell, for the Bond Project. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

**MAYOR'S REPORT**

C. **Resolution #R240-06/07 – River Trail for Small Boats.** Mayor Perkins asked Ms. Charlotte Griffeth, along with Mr. Clark, to address the Council and share some information about the river trail, which has the potential to being one of the longest waterway trails within a single state and the country. Mayor Perkins also stated they have a resolution in support of the trail that he will be presenting to the Council after the presentation. Following the presentation, a motion was made by Councilman Cain, and seconded by Councilwoman Martin, to approve resolution #R240-06/07 in support of the River Trail. **The motion passed with a unanimous (show of hands) vote of the Council members present.**

D. **Resolution # R261-06/07 – Water Avenue Clean-Up.** Ms. Charlotte Griffeth addressed the Council, and read resolution #R261-06/07 in its entirety, as it relates to safety during clean-up of the Phoenix Building located on Water Avenue, which collapsed on June 6, 2006. Ms. Griffeth asks Council consideration of said resolution, which authorizes the Office of Planning and Development to use Thomas Construction for partial debris clean-up, and to compensate said company not to exceed \$21,000.00 from the CDA Other Funds Account. A motion was made by Councilman Cain, and seconded by Councilman Leashore, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

E. **Resolution #R262-06/07 – Water Avenue Streetscape Engineer.** Ms. Charlotte Griffeth addressed the Council, and read resolution #R262-06/07, in its entirety, as it relates to authorizing the Office of Planning and Development to select Goodwyn, Mills and Cawood, off of the ALDOT 'on-call' list, to serve as the Engineer to develop the scope of work and bid specifications for the Water Avenue Streetscape Utility Project. Ms. Griffeth further stated the City of Selma has received the \$400,000.00 from Congressman Artur Davis, and has been given the permission by ALDOT with an authorization to proceed on this project, and asks Council favorable consideration. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to proceed with this project in the form of Resolution #R262-06/07, in the sum amount of \$400,000.00 for Water Avenue Streetscape Project. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

F. **Resolution #R263-06/07 – SHDC Design Guidelines.** Ms. Charlotte Griffeth addressed the Council, and read resolution #R263-06/07 in its entirety, as it relates to the design guidelines of the Selma Historic Development Commission to be updated to come into compliance with the Alabama Historical Commission and the National Park Service Department of Interior standards. Ms. Griffeth asks Council favorable consideration of said resolution, that the Council authorizes the Office of Planning and Development to use Pratt Cassidy to review, evaluate and make recommendations to the SHDC as it relates to its design guidelines, and further authorizes the amendment of the budget by transferring \$500.00 from Historic Commission Travel line item (1.9000 170.0), and reactivating Historic Commission Miscellaneous Expense line item (1.9000 129.0) by \$500.00 to cover said services. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to approve said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

G. **Resolution #R260-06/07 – Replacement and Removal of Towers.** Mayor Perkins stated if Council recalls he presented, and the Council approved resolution #R233-06/07 for the placement of the antennas on the towers at the EMA Tower at the Courthouse. Mayor Perkins further stated in the process of going through the negotiations with the company, the actual proposal that they looked at was not successful, and as a consequence they have gone back and began negotiations with an alternate firm, who is the firm that is presently being used by EMA. Mayor Perkins stated resolution #R260-06/07 rescinds resolution #R233-06/07, which appropriated the amount of \$21,000.00 through the movement of monies within the Police Department, and now we are coming back and splitting the appropriation between the Police Department and Community Outreach. Mayor Perkins asks Council favorable consideration of said resolution #R260-06/07, with two line items totaling the amount of \$22,964.92. A motion was made by Councilwoman Venter, and seconded by Councilwoman Martin, to approve resolution #R260-06/07, that \$11,482.46 be transferred from the Police Department's Unused Salaries (1.6100.103.0) to the Police Department's Communication Maintenance & Repairs line item (1.6100.166.0), and \$11,482.46 be transferred from the Community Outreach Department's Citizens Stipends (1.6105.104.65) to the Fire Department's Communication Maintenance & Repairs line item (1.6500.166.0) for the EMA Tower Repairs, in the total amount of \$22,964.92. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

H. **Resolution #R264-06/07 – Warmer/Cooler for the Convention Center.** Mayor Perkins stated there is a maintenance issue at the Convention Center, and that the Warmer/Cooler has gone out at the Convention Center, and it is going to cost \$10,000.00 to get it repaired. Mayor Perkins asks Council favorable consideration to proceed with the transfer of funds from the Information Technology Department's Travel, Training and Conference (1.6115.170), to go to the Public Building's Fixed Asset line item (1.6022 430.4) for the purpose of this emergency repair on this warmer/cooler system for the Convention Center. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Venter, to approve said Resolution #R264-06/07 in the amount of \$10,000.00, to purchase and install a Warmer/Cooler for the Convention Center. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

**MAYOR'S REPORT**

**I. DHL Analytical Laboratory, Incorporated – Contract.** Mayor Perkins stated the DHL Analytical Laboratory, Incorporated Contract for Services is a duplicate of the existing contract that we have with DHL Analytical. Mayor Perkins further stated this Contract supports the environmental work that we are having done through our Brownsfield Grant and the Landfill Project, and he asks Council favorable consideration of said Contract which is identical to what we have presently, but this one will be for the next fiscal year, and the money is appropriated in the proposed budget. A motion was made by Councilwoman Martin, and seconded by Councilwoman Venter, to approve the DHL Analytical Laboratory, Incorporated Contract for Services, in the amount of \$72,000.00, payable in equal amounts of \$6,000.00 per month for 12 months. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

**J. City Budget – FY 2007-2008.** Mayor Perkins stated Draft 3 of the FY 2007-2008 Budget is the last one that they looked at in work session, and he asks Council favorable consideration of Draft 3 of 2007-2008 FY Budget. A motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve Draft 3 FY 2007-2008 Budget. Councilman Cain asked President Evans if there was going to be discussion beforehand? President Evans stated he would have discussion at this point, with the motion being made, "but once we make the motion and second it, it won't be any further discussion, we'll vote", and stated to Councilman Cain, to "go ahead". Councilman Cain stated, "I thought we were going to have continued discussions as far as the budget goes. Councilman Cain stated again, this is the 3<sup>rd</sup> year that we don't have a budget; the best thing we got before us is a proposed 2007-2008 budget off of a 2007 budget, and there are no actual expenditures that are shown, for this year or last year to do a budget off of. Councilman Cain stated this is not a budget; the best thing we have with our budget involves our proposed budget off total collected revenue; that's starting to look like a budget as far as our revenue side goes with that, and it's nothing wrong with that. Councilman Cain stated, on the expenditures side we are not shown any actual expenditures, and the problem I'm having with it is, for example, the police department, we have only been spending \$3.3 million in the police department actual expenditures for the past 3 years, and we're showing \$4.4 million being budgeted every year. Councilman Cain stated there is obviously a lot of extra money there, and it needs to be reviewed because we are transferring those monies, police department salaries, into other departments, which we shouldn't be doing. Councilman Cain stated we ought to be taking that money and giving raises to our police officers. Councilman Cain stated I want to see a \$3 to \$4 increase an hour for each of our police officers and we don't have that in this budget. Councilman Cain stated, in fact, what we're looking to do is decrease the number of officers in our Police Department by seven, and we're also looking to add a public relations' person, and I don't think that's appropriate. Councilman Cain stated, Mr. President, I think we need to continue discussing the budget without having to vote on it tonight. Councilman Cain stated, the other issue is, we haven't had any budget discussions; all we've had is just the budget and what we want the budget to have. Councilman Cain stated, if we could, Mr. President, I'd like to see if we could continue this until next Council meeting for approval. Councilman Cain stated this is his personal opinion, and he just appreciates it, Mr. President." Councilwoman Allen stated to President Evans that she still has some concerns about the budget as it relates to the consideration of taking in a report of Dr. Ioimo, which they have not received yet, or even another status report. Councilwoman Allen further stated that there is an identified retention problem in the Police Department; however, that cannot be substantiated until they receive that report. Councilwoman Allen also stated she still has concerns as it relates to the needs that will need to be done in the budget; and also that she is concerned about some consolidation of some of the required needs in some of the departments. Mayor Perkins stated in reference to that, the critical issues specific to the budget in the Police Department, he has consulted with Dr. Ioimo, and he thinks they have a consensus on those things that have been changed and he does not feel that he has deceived him so he feels confident that his report will reflect what they've discussed. Mayor Perkins further stated he knows that the budget reflects what they have discussed and that he can't tell them that they've covered all the things in his report because his report is incomplete so he does not know what everything in the report will be. Mayor Perkins also stated as it relates to the status reports, he reported in the Work Session that Mr. Evans and he had concurred to get status reports and they had gotten the first one, and he did become very concerned after that first one was discussed publicly. Mayor Perkins stated he went back Thursday evening and called Dr. Ioimo to make certain that he was right on that and he says he remembers it very clearly and he remembered when he came back to him and asked him to just discontinue issuing status reports because he felt that they would be abused, and that's where they are at this point. Mayor Perkins further stated he thinks he did indicate to him that he feels he will be having a completed draft in about 3 weeks. President Evans stated to Mayor Perkins, that he did mention it on Thursday, at that time that he thought they'd had a lot of dialogue, and that he wanted to cool off a little but it was a good meeting on Thursday – not negative, just a lot of dialogue. President Evans further stated the only thing that concerns him on that is that the Council and the Mayor made a decision that anything related to Dr. Ioimo reports would be a joint decision by he and himself, or reports would be given to he and himself but at this point when he says that he's agreed not to do anymore, he never talked to him about that, and that concerns him as to where communication broke down on that because certainly if there was a question on that, and they as a Council had made a decision that it was going to be dual responsibility, then that would be his concern about that decision being reached without him involved in it. Mayor Perkins stated to President Evans, that he mentioned it, and was very distressed about it. Mayor Perkins further stated he mentioned it when it occurred and stated his exception to it, and even when they had talked about it he thinks in the discussion they talked about if there was a breach of that confidentiality that he would be as disturbed and concerned as he was. Mayor Perkins stated he thought they had that consensus. Mayor Perkins further stated the things that were being discussed were HR issues and it was causing some problems on the outside and it was just not in the best interest of the City to continue. Mayor Perkins also stated he thought when they originally agreed, they said there would be no breach but if

**MAYOR'S REPORT**

there was a breach, there would be some action, and that's what happened. President Evans stated to Mayor Perkins that he did hear him, and as he said Thursday, he, as Council President, was not aware of a breach that took place because he specifically asked in that meeting when it came up that, why can't they share information with the public. President Evans further stated he said that because he asked each Council member not to do anything with that other than to keep it until it was time they get that final result because it would be too premature to go out and talk about the initial stages of this consultant program and wait until the end results, to put together. President Evans also stated if someone violated that as a Council person he was just not aware of it and never been informed of it, and that had he known that, he would've dealt with it. Councilwoman Crenshaw asked President Evans could they, as Council, go on record to say that they would get this report completed and then once they get all the information, they would take a look at it? President Evans stated he thinks they're at that juncture now, and he thinks it was also decided that once he completed, it would be public information at that point. Following further discussion from the Council, **a roll call vote was taken and the motion, along with the amendments, passed with a majority vote of the Council members present. There were six ayes and two nay votes. Councilman Cain and Councilwoman Allen each cast a nay vote. Councilman Cain stated during roll call that he would like his original comments (above) to be made a part of the record.**

**CITY ATTORNEY'S REPORT**

**A. Fireworks Within the Police Jurisdiction.** Attorney Nunn stated a few weeks ago Mr. Mr. David Averhart addressed the Council as it relates to fireworks within the police jurisdiction. Attorney Nunn further stated we do have statutory law within the City of Selma via the fireworks ordinance, which has been in place since 1958, which prohibits fireworks within the City of Selma, not just using the fireworks, but selling the fireworks, as well, within the City of Selma, and within the police jurisdiction. Attorney Nunn also stated Mr. Averhart's request was to limit and prohibit fireworks only to the City of Selma because he has a business on Highway 80 West, which is within the police jurisdiction. Attorney Nunn stated Mr. Averhart is requesting to be able to sell fireworks in the police jurisdiction, and his request to his office was to get an update to his request, as to whether or not the Council would reconsider revising its fireworks ordinance. President Evans stated he would like to see this matter referred to the Public Safety Committee for a recommendation, to be considered by the Council. Council concurred.

**B. Liquor License Application.** Attorney Nunn stated the following liquor license application is asked to be approved to be placed on 1<sup>st</sup> Reading by the Council: Paradise Night Club, located at 1211 Alabama Avenue, (Atkin Jemison). A motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to place the said liquor license on 1<sup>st</sup> Reading. **The motion passed with a majority (show of hands) of the Council members present. There were seven ayes and one nay vote. Councilman Cain cast a nay vote.**

**C. Liquor License Application.** Attorney Nunn stated the following liquor license application was placed on 1<sup>st</sup> Reading at the last Council meeting and asks Council consideration of the same: Playland Bowl, [Transfer-On/Off Premises], located at 3002 Citizens Parkway, (John Lamberth). During discussion, a motion was made by Councilman Cain, and seconded by Councilwoman Allen, to approve said liquor license application. **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. Councilwoman Venter abstained from voting.**

**D. Big Star Tavern.** Attorney Nunn stated to Council if they recall there was a request to research a request by some local concerned citizens of Selma as it relates to a local bar doing business as the Big Star Tavern, located on Highway 14, East. Attorney Nunn further stated during the last Council meeting if they recall, it was stated that the owner did come to town, but Council meeting had adjourned. Attorney Nunn also stated he has talked with the owner on several occasions, and also our local ABC Agent, Mr. Barber. Attorney Nunn further stated what Mr. Barber stated is that they received the same complaint against the bar, and what they have done on several occasions, they have gone out and inspected the bar itself. Attorney stated they have gone out and done site visits and site checks, and the bar has been in compliance every time, and they do not see any type of violations where the bar is operating in violation of any codes or regulations. Attorney Nunn also stated there is one other thing they are going to do, check as it relates to this complaint, but as of today they are in compliance. Attorney Nunn stated the owner has stated to him that he is willing to come before the Council if it is something that he needs to do as it relates to this complaint, and that he is doing everything that he can to be in compliance with the State and the Local Law.

**E. St. James Hotel.** Attorney Nunn stated he thinks everything will be closing out by September 30<sup>th</sup>, and they are on schedule. Attorney Nunn further stated they may have to come back before the Council as it relates to the renovations, and that he thinks we are about two weeks behind, and that is on behalf of the City of Selma, and on behalf of the Lessees. Attorney Nunn stated as it relates to closing out everything and giving the Council a report, they will do that during the next Council meeting. Attorney Nunn also stated that they should have the application for an alcoholic beverage license to present during the next Council meeting.

**CITY ATTORNEY'S REPORT**

F. **Ordinance #O121-06/07.** Attorney Nunn stated this ordinance amends ordinance #COS 21-01/02 as it relates to excessive and loud noise within the City of Selma. Attorney Nunn further stated this was presented to Council in July of this year. Attorney Nunn read ordinance #O121-06/07, and stated in section (a) tent revivals was added to the language; in the (b) section an amendment was made of \$250.00 for 1<sup>st</sup> offense, from \$200.00, and on section (c), the Chief of Police shall review and research all permit requests and shall, at his/her discretion, have the authority to grant or deny said permit. Attorney Nunn stated these three things that are being added to the ordinance, and asks Council favorable consideration to place on 1<sup>st</sup> Reading. A motion was made by Councilman Cain to suspend the rules in an effort to act at this Council meeting. President Evans stated if there were enough Council members in favor of suspending the rules they could take that action at this meeting. Councilman Leashore stated he did not want to suspend the rules. Councilman Cain withdrew his motion to suspend the rules, a motion was made by Councilman Cain, and seconded by Councilwoman Crenshaw, to approve placing Ordinance #O121-06/07 on 1<sup>st</sup> Reading. **The motion passed with a unanimous (show of hands) vote of the Council members present.**

G. **A.M.I.C. (Alabama Municipal Insurance Corporation) – Statement.** Attorney Nunn stated to Council that they should have before them a statement from A.M.I.C. representing four claims, in the amount of \$11,063.54, and asks Council approval of the same. Following a brief discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Leashore, to approve payment of the invoice from A.M.I.C. in the amount of \$11,063.54. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

H. **Law on Clubs Operating and Selling Alcohol After Midnight on Saturday Nights.** Attorney Nunn stated a question was raised about the latest hour liquor could be sold on Sunday mornings. Attorney Nunn further stated he had spoken with the ABC Board on today, and the latest hour liquor can be sold is 2:00 a.m.

I. **Ordinance #O123-06/07 - Rules and Procedures for Governing the Deliberations and Meetings of the City Council (Section 33).** Attorney Nunn stated he has drafted an ordinance for the Council to review as it relates to Rules and Procedures for Governing the Deliberations and Meetings of the City Council (Section 33), in the form of ordinance #O123-06/07. Attorney Nunn asked Council if they wanted to place said ordinance on 1<sup>st</sup> Reading, or was it just to be reviewed by the Council. President Evans stated he would like it placed on 1<sup>st</sup> Reading, and, asked if anyone sees where Section 33 should not be amended to reflect the changes in terms of governing and being accountable as Council members, he would like to hear their rebuttal to it. President Evans further stated the amendment would reflect if any Council Member /Council President refuses to leave the Council meeting after being requested to leave by a Police Officer, then he/she shall be fined as follows: (i) 1<sup>st</sup> Offense - \$500.00; (ii) 2<sup>nd</sup> Offense - \$750.00; and (iii) 3<sup>rd</sup> Offense - \$1,000.00. President Evans also stated to Council that he would like to have Council thoughts and feelings on said ordinance, or if they have another ordinance that they would like to present, he is open to that. During discussion, a motion was made by Councilman Cain, and seconded by Councilwoman Martin, to place said ordinance on 1<sup>st</sup> Reading. **A roll call vote was taken and the motion failed for lack of a majority vote of the Council members present. There were four ayes and four nay votes. Councilman Randolph, Councilman Leashore, Councilwoman Crenshaw, and Councilwoman Venter each cast a nay vote.**

**BUSINESS ITEMS:**

**I. WILSONPRICE INVOICE - BREAKDOWN**

President Evans stated this item will be continued until the next Council meeting because he does not think the report has been received from Wilson Price that was to be forwarded to Ms. Cynthia Mitchell. Councilman Leashore stated he does not think the Council ever decided who should be responsible for that cost and, as a matter of record, he thinks the two people that incurred the cost without the approval of this Council, Mr. President, needs to be the ones to pay the cost that Wilson Price sent to the City for services that were rendered.

**II. STOLEN MILLION DOLLARS - UPDATE**

President Evans asked Councilwoman Crenshaw to address this issue. Councilwoman Crenshaw, along with Councilman Leashore, stated to Attorney Nunn that they believe he was asked to research how this matter can be brought back to court for modification to determine whether or not their resources are still the same as they were when they were ordered to pay back the money to the City of Selma. Attorney Nunn stated he has put a call in to the court, and also that the issue came up in terms of a private investigator, which he also is checking into. Attorney Nunn stated once the results are in, he will be bringing an update to the Council, hopefully during the next Council meeting.

**BUSINESS ITEMS:**

**IV. NOISE ORDINANCE**

President Evans stated he would like to ask the Citizens if they would help with this situation by turning the noise down.

**V. UPDATE ON HOLLMAN'S CASE**

Attorney Nunn stated this case is still pending as far as he knows, and he will research and bring back a report to the Council.

**VI. SICKLE CELL FUND**

President Evans stated Councilman Leashore has asked that this item be continued until the last Council meeting in October.

**VII. NATIONAL INCIDENT MANAGEMENT SYSTEM DISASTER PREPAREDNESS TRAINING (NIMS)**

President Evans stated he wanted the public to know that this Council, with the exception of Councilman Williamson, who is out ill, did go through the disaster preparation training successfully, and the certificates will be forthcoming.

**VIII. SELMA SCHOOL BOARD APPOINTMENTS**

President Evans stated this is an item that they have had discussion about, and at this point he would like to see where the Council wants to go from here with discussion of persons being appointed to the School Board. Councilman Leashore stated, for the record, the last meeting they had a public forum, and in the meeting a survey form that was being distributed asked three questions, and one of those questions was do they need to go ahead and fill these three vacancies that now exist on the 11 member school board? Councilman Leashore further stated he thinks the consensus of the very few people who were here that night was unequivocally yes. Councilwoman Crenshaw stated to President Evans that she thought they were putting something in place at this time, maybe to get more information, as it relates to the PTA dates. Councilwoman Crenshaw further stated they have sent some information already to some schools, and she thinks once they get the information back, they may get a better "feel" on this. President Evans asked Attorney Nunn about the legalities of where they stand as a Council about not filling those vacancies. Attorney Nunn stated he had pulled the Constitutional Law and it states that it puts a duty on the Selma City Council to appoint 11 members on that Board, but on the other hand, it does not state when, and that that Constitutional Law was adopted years ago, and does not go into detail about what happens in cases. During discussion, a motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to fill the two vacancies on the School Board from the candidates that they have already interviewed. Councilman Leashore stated he thinks this Council needs to go on record of selecting two people and let them tell us whether or not they are willing to serve. Before the vote was taken, President Evans stated he needed to pass the gavel in order to make a statement, and that it was nothing derogatory, but when Mr. Leashore made the statement that "we would go ahead and select them, and if they want to turn it down, they can". President Evans stated, as it relates to the candidates that have been interviewed, the only "drawback" he has is that, "if in fact I was selected and turned down, and someone else was appointed and you didn't select me first of all, I don't think I would want to be a "second thought." President Evans stated, in other words, "if I was not good enough to be first choice, then I think I would feel kind of bad, I think it sends a bad message, and that's just one person's opinion." Retrieving the gavel, President Evans stated at this time he would like to have roll call to the motion that is on the floor. **A roll call vote was taken and the motion failed for lack of a majority vote of the Council members present. There were four ayes and four nay votes. President Evans, Councilman Cain, Councilwoman Martin, and Councilwoman Allen each cast a nay vote.**

**IX. ELECTED SCHOOL BOARD VS. APPOINTED SCHOOL BOARD**

Attorney Nunn stated the first thing is to have public hearings, and then after the public hearings it comes before the Council to take some action, via resolution or ordinance. Attorney Nunn further stated it then goes to the Legislature, and then after you talk to your Representatives and Senators before the Legislative body, you would need to get someone to introduce it. Attorney Nunn stated, as he has stated in the past, by this being a constitutional amendment it would have to go before the State of Alabama, and would have to be put on election to go before the people in the State of Alabama. Attorney Nunn stated it would have to be a State election, either in February or November, or a Special Election. Attorney Nunn further stated there is a process, and what he has just stated briefly is the process, about which it is done, but the bills and ordinances have to all be presented, and the Council would have to get the Legislatures on "board", and then set the dates, and all of that goes into it. President Evans stated once all of the information is in they will be looking through it, and hopefully have all of the information back in by the next Council meeting in an effort to have dialogue in terms of what the citizens want in terms of Electing or Appointing a School Board. Councilman Leashore stated as a point of clarification that the Council has already gone on record as wanting an Elected School Board. President Evans stated he concurred with Councilman Leashore and that that was the consensus of the Council, but the Council did state that they wanted to get feedback

**BUSINESS ITEMS:**

from the citizens, and if the majority of the citizens did not want that, then this Council would have to withdraw its decision to go with an Elected School Board.

**X. RATIFY AND AFFIRM MEMBERSHIP FEES (ALABAMA LEAGUE OF MUNICIPALITIES)**

President Evans stated the Council needs to ratify and affirm the membership fees that they owe, and has been paid to the Alabama League of Municipalities in the amount of \$5,296.90. A motion was made by Councilwoman Martin, and seconded by Councilwoman Crenshaw, to approve and ratify payment to the Alabama League of Municipalities in the amount of \$5,296.90. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.**

**XI. CHECK OLD TOWN SIDEWALKS FOR REPAIRS**

President Evans stated he believed they had a discussion on this on Thursday, and Councilwoman Martin found out the information she needed to find out.

**XII. UPCOMING CITY GOVERNMENT MEETINGS, COMMITTEE MEETINGS AND CONFERENCES**

President Evans stated he did attend a League of Municipalities meeting in Montgomery on last week, which dealt with the election that is coming up, along with ethics and the bid process. President Evans further stated Councilwoman Crenshaw and Councilwoman Venter, along with him, were there and it was a very interesting and informative meeting.

**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**

No Report.

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

Councilwoman Crenshaw stated they had a wonderful “National Neighborhood Day”, and she wanted to thank everyone who attended, and to encourage everyone to get involved and be a “Good Neighborhood Keeper”. She also wanted to thank the citizens and Council members who participated. Councilman Leashore thanked Councilwoman Crenshaw for the efforts she put into making this event a very worthy event to come into fruition, and he thinks the Citizens who were there were very appreciative, as well. Councilwoman Venter, Councilman Randolph, and President Evans made comments and each concurred that this was a very worthy event, and were very appreciative for all of the efforts made by everyone towards “National Neighborhood Day”.

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

No Report.

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

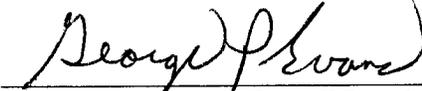
No Report.

**CLOSING REMARKS BY EACH COUNCIL MEMBER.**

During closing remarks made by Councilman Leashore, he stated to President Evans that he would not be present for the October 8, 2007 Council meeting, and he would hope and Pray that the issue concerning Rules and Procedures for Governing the Deliberations and Meetings of the City Council (Section 33) would not come up during his absence. President Evans assured Councilman Leashore that this issue will not come up at the October 8, 2007 Council meeting.

**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 8:49 p.m.

  
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GEORGE P. EVANS, *Council President*

**ATTEST:**

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

**APPROVED:**

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