

**MINUTES OF THE SELMA CITY COUNCIL MEETING
HELD ON MONDAY, OCTOBER 28, 2002**

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, October 28, 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, B. 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. Minister Brenda Tyus gave the invocation.

After roll call, President Evans declared a quorum present and the meeting was opened for the transaction of business as set forth on the agenda. President Evans asked if there were any additions or corrections to the agenda prepared for this meeting. Councilwoman Franklin asked that the Executive Session be moved to the end of the meeting. There being no other additions to the agenda, on motion made by Councilwoman Franklin 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, October 14, 2002. There being no additions or corrections to the minutes, a motion was made by Councilman Durry and seconded by Councilwoman Martin to adopt the minutes as amended. The motion carried with a unanimous vote of the Council.

I. MAYOR'S REPORT

A. Resolution – Warrant Issue Declaration of Intent. Mayor Perkins presented Council with a resolution relative to the proposed Warrant Issue and resolves the City proposes to issue not less than \$1,550,000 in General Obligation Warrants for the purpose of financing the City's Hyundai incentive commitment and to pay the costs of the municipal lighting project. The resolution also contains a declaration of intent for the City to reimburse its general fund out of said proceeds derived from the sale of the Warrants for expenditures on the aforementioned projects prior to receiving proceeds from the Warrant Issue. The Mayor stated this resolution is necessary because certain expenditures on the Hyundai incentive and the lighting project must be paid prior to receiving proceeds from the Warrant Issue. A motion was made by Councilwoman Sewell and seconded by Councilwoman Crenshaw to adopt the resolution as presented. A roll call vote was taken and the motion passed with a majority vote of the Council. There were five affirmative votes and three negative votes. Council members Sexton, Franklin and Tucker cast the negative votes.

B. 2002 General Obligation Warrant Issue Proposal. Mayor Perkins stated representatives from The Frazer Lanier Company and Merchant Capital addressed the Council at the work session held on Thursday, October 24, 2002. At the work session the representatives presented Council with three possible options for the proposed Warrant Issue. Option #1 provides for the refunding of the 1993 and 1994 Warrants to fifteen years including new money requirements for Hyundai and the lighting project with an average annual increase of \$40,000. Option #2 provides for no refunding and includes new money requirements only with an average annual increase of \$140,000. Option #3 provides for the refunding of the 1993 and 1994 Warrants only and provides savings after expenses in the amount of \$35,000. Councilmen Sexton and Tucker suggested a vote of this matter be delayed until after the new budget has been adopted. A motion was made by Councilwoman Crenshaw authorizing Mayor James Perkins, Jr. to instruct the investment bankers to proceed with preparing the necessary documents for Option #1. Councilwoman Sewell seconded the motion. A roll call vote was taken and the motion passed with a majority vote of the Council. There were six affirmative votes and three negative votes. Council members Tucker, Franklin and Sexton cast the negative votes.

I. MAYOR'S REPORT

C. Annexation/County-wide Incorporation. Mayor Perkins distributed copies of a press release from the Office of the Mayor relative to the Annexation Feasibility Study and the incorporation efforts of citizens from different areas surrounding the city limits. The press release makes reference to the 2020 Plan that was developed in 1999 by an independent consulting firm from Auburn, Alabama and states the City should consider annexing areas including highways 80, 22 and 14. The press release also reiterates that the document on annexation is a study only and there is no intent to sneak annexation on the citizens. The Mayor further made an appeal to the community to come and talk with him before making any irrational decisions. Mayor Perkins asked for Council support of the press release and stated it would be placed in the Selma Times Journal as a full-page ad to inform the citizens of its content.

A lengthy discussion followed, whereby several Council members stated their support of the Mayor in having the Feasibility Study developed. Councilwoman Sewell also presented and read a resolution in support of the Feasibility Study. A motion was made by Councilwoman Sewell and seconded by Councilwoman Crenshaw stating the Council supports the Mayor's press release and approval of resolution as presented. A roll call vote was taken and the motion passed with a majority vote of the Council. There were five affirmative votes and four negative votes. Council members Durry, Franklin, Tucker and Sexton cast the negative votes.

D. Financial Report on Building Inspector's Office. Councilwoman Franklin stated after reviewing the August 2002 Financial Report she noticed there were no expenditures to date from the Professional Services line item in the Building Inspector's Office. Councilwoman Franklin further stated that after reviewing the September 2002 Financial Report she noticed that the entire budgeted amount of \$28,000 had been expended. Councilwoman Franklin requested an accounting of how those funds were spent. Mayor Perkins stated that information would be gathered and furnished to Councilwoman Franklin.

E. Proposed Revenue Increases. President Evans suggested public hearings be held prior to making a final decision on the proposed revenue increases. Mayor Perkins was in agreement with this suggestion.

II. CITY ATTORNEY'S REPORT

A. Ordinance to Rezone. Attorney Nunn presented Council with copies of a draft ordinance to rezone property located on the By-Pass across from Henry Brick Company. The purpose of this request is to allow for an advertising sign to be placed on the property. Attorney Nunn stated the change in zoning comes with a positive recommendation from the Planning Commission. Attorney Nunn requested this ordinance be placed on first reading. A motion was made by Councilwoman Franklin and seconded by Councilman Durry to place the rezoning ordinance on first reading. The motion passed with a majority vote of the Council. Councilwoman Sewell was absent from the Chamber during this vote.

B. Ordinance Tourism Board. Attorney Nunn informed the Council that a draft of the ordinance to amend the ordinance establishing the Tourism Board and providing for duties was distributed for review at the October 14, 2002 Council meeting. The original ordinance creating a Tourism Advisory Board was passed by the City Council on November 28, 1994 and has been amended to read, there is hereby created a Tourism Advisory board to be composed of nine (9) members. The nine members shall consist of two (2) City Council members and seven (7) members who are resident citizens and qualified voters of the City of Selma, Alabama. Attorney Nunn requested this ordinance be placed on first reading. A motion was made by Councilwoman Crenshaw and seconded by Councilwoman Martin to place the ordinance on first reading.

II. CITY ATTORNEY'S REPORT

C. Resolution – Award of Weapon and Badge to Lt. Gary Vancil. Attorney Nunn presented the Council with a resolution to award Lt. Gary Vancil of the Selma Police Department his weapon and badge as part of his retirement package. A motion was made by Councilwoman Franklin and seconded by Councilwoman Martin to approve the resolution as presented. The motion passed with a unanimous vote of the Council. Councilwoman Sewell was present for this vote.

D. Resolution – Central Alabama Solid Waste Consortium. Attorney Nunn stated he has met with Mr. Larry Friday and Mr. Carl Morgan relative to the agreement presented by the Central Alabama Solid Waste Consortium. Attorney Nunn stated the Consortium is close to an agreement with investors and asked Council to grant approval to the Mayor to negotiate and execute an agreement regarding the incinerator project. A motion was made by Councilwoman Martin and seconded by Councilman Durry. A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one negative vote. Councilman Tucker cast the negative vote.

E. Resolution – Retirement of K9 Dog Hero. Attorney Nunn presented Council with copies of a resolution that was requested by Chief Green resolving to authorize the Mayor to execute an agreement whereby the City of Selma does convey K9 Dog Hero to Lt. Charles Weber for and in consideration of the sum of \$1. The resolution states the Chief of Police has requested that the Selma City Council retire the K9 Dog due to his age and his ineffectiveness and in an effort to avoid the expense of euthanizing the animal. Councilwoman Franklin and other Council members voiced concerns regarding the disposition of K9 Hero. Mayor Perkins asked that this matter be tabled for further discussion.

F. Resolution – Appointment of Department Heads. Attorney Nunn presented Council with copies of a resolution for the appointment of department heads. A motion was made by Councilwoman Franklin and seconded by Councilman Sexton to delay a vote on this resolution until the Executive Session.

G. Resolution – Amendment of Bond Amounts. Attorney Nunn informed the Council that he is in the process of drafting a resolution to increase the bond amount of Jacqueline T. Smith, Interim Finance Director to \$1 million and the bond of Sequita Oliver, Interim City Clerk/Treasurer to \$25,000 until such time as they no longer serve in said interim positions. A motion was made by Councilwoman Franklin and seconded by Councilwoman Sewell to adopt the resolution as presented. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

H. Concordia College Request to Vacate Street. Attorney Nunn stated he is in the process of drafting a letter regarding the request of Dr. Jenkins, on behalf of Concordia College, to vacate a street.

I. Information – Alabama Open Meeting Law. Attorney Nunn distributed literature from the Attorney General's Office relative to the Alabama Open Meeting Law and the Sunshine Law.

III. 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

The Public Safety Committee Report was informational only.

III. STANDING COMMITTEE REPORTS

COMMUNITY DEVELOPMENT COMMITTEE REPORT

There was no report from the Community Development Committee.

PUBLIC WORKS/GENERAL SERVICES COMMITTEE REPORT

Councilman Sexton reported that Chisholm Drive was temporarily closed for railroad repairs. Councilman Sexton also reported that other crossings identified for repairs may be temporarily closed.

DISCRETIONARY FUND COMMITTEE REPORT

Councilwoman Sewell stated request forms would be distributed for Victory Life Institute, Denise Dukes and the Selma High School Beautification project.

V. MR. GEORGE GRAYSON

Mr. George Evans stated he was present to address the Council regarding the Feasibility Study and annexation. Mr. Grayson stated he was not in favor of the Council approved resolution on annexation and requested Council adopt a resolution stating the City Council would not force annexation on any group of citizens who are in opposition of being annexed.

A motion made Councilwoman Franklin and seconded by Councilwoman Sewell for the Council to recess into an Executive Session at 6:50 p.m.

VI. APPOINTMENT OF DEPARTMENT HEADS

Councilwoman Franklin made a motion for the Selma City Council to reconvene into regular session at 7:30 p.m. A brief discussion was held regarding the resolution submitted by Attorney Nunn regarding the appointment of department heads and certain assistant department heads with the exception of those department heads appointed to four-year terms by State law.

A consensus of the Council was to re-appoint all department heads and assistants listed in the resolution with the exception of Councilwoman Franklin casting a negative vote for department head listed as number three.

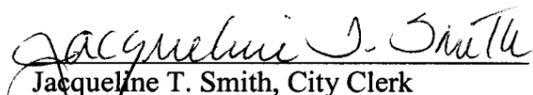
VII. FINANCE DIRECTOR

A brief discussion was held regarding the status of Mr. Bob Sanders, Finance Director, who has been placed on Administrative Leave. Attorney Nunn stated he is in the process of preparing a resolution giving Mayor Perkins the authority to negotiate a separation agreement. The Council was in agreement with the procedure outlined by Attorney Nunn.

There being no other business to come before the Council, on motion made and duly seconded, the Council voted by unanimous consent to adjourn at 7:45 p.m.


George P. Evans, President

ATTEST:


Jacqueline T. Smith, City Clerk

APPROVED:


James Perkins, Jr., Mayor