

**MINUTES OF THE  
SELMA CITY COUNCIL MEETING  
HELD ON MONDAY, APRIL 14, 2003**

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, April 14, 2003 at 5:00 p.m. with the following members present: President George P. Evans and Council members Glenn Sexton, Rita S. Franklin, Jean T. Martin, Nancy G. Sewell, Samuel Randolph, Benny L. Tucker, Bennie Ruth Crenshaw and James Durry. Others present were Mayor James Perkins, Jr., City Attorney Jimmy Nunn, City Clerk Secretary Lois Williams, Finance Director Vickey Locke and the Mayor's Administrative Assistant Sherri James. The Reverend Lawrence Wofford 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 acknowledged the absence of Sequita Oliver, Interim City Clerk/Treasurer, because of the loss of her father, Former City Councilman Dan Rutledge. A brief moment of silence was allowed for Mr. Rutledge and his family. Mr. Rutledge is also Mayor Perkins' uncle. President Evans asked if there were any additions or corrections to the agenda prepared for this meeting. Councilwoman Franklin asked that a request for fireworks for a wedding on June 14, 2003, four items of financial nature; sales tax update, money city owes to county, the US Dept of Labor and Selma Police Dept, update on W2s, and rescheduling the next regular council meeting to be added to the agenda. Councilman Durry asked that the Summer Food Program to be added to the agenda. Councilwoman Sewell asked that Youth Build 2003, Selma's Promise, Youth-in-Government update, and National Library Week celebration to the agenda. President Evans added the resolution for Mr. Dan Rutledge, the Ward lines meeting and a Certificate of Appreciation to the agenda. Councilman Randolph asked to add the status of the resolution for the Water Works to the agenda. The Council requested an Executive Session at the close of regular business. On motion made by Councilman Randolph and seconded by Councilwoman Sewell, the agenda was approved with additions by unanimous vote of the Council.

President Evans stated Council members have asked him to ask that those who have cell phones would please place them on off or vibrate. On motion made by Councilwoman Sewell and seconded by Councilwoman Crenshaw to approve minutes for February 24, 2003. The motion carried with a unanimous vote of the Council. On motion made by Councilwoman Franklin and seconded by Councilman Durry to approve minutes for February 26, 2003. The motion carried with a unanimous vote of the Council. On motion made by Councilwoman Franklin and seconded by Councilwoman Sewell to approve minutes for April 2, 2003. The motion carried with a unanimous vote of the Council. Remaining are still March 4, 2003, March 17, 2003 and March 25, 2003, which will be approved at the next council meeting.

**I. MAYOR'S REPORT**

Mayor Perkins stated that before engaging the presentation specific to city business, as a relative of the Rutledge family, the family would like to thank the Council, citizens, and all of city government who expressed their condolences for the loss of our family member, Dan Rutledge, Sr., former Councilman, City of Selma. We really appreciate all the expressions of love and kindness, and I am certain when Mrs. Oliver returns back to the office she will make a similar acknowledgement, but just know that all of your kind comments and generosity towards the family of both the tangible and intangible are appreciated.

**A. Mallieve Breeding – Save the Butterfly Day.** Mayor Perkins asked Mrs. Mallieve

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**A. Malliee Breeding – Save the Butterfly Day.** Mayor Perkins asked Mrs. Malliee Breeding to come forward at this time to address the Council about the butterfly. Mrs. Breeding stated that in 1982, Selma became Butterfly capital of Alabama and you will find before you six sheets of various information that shows what came out of that. With the support of the Mayor, and Mrs. Franklin was very much involved, we became the Butterfly capital of Alabama, this was before it became of interest around the rest of the nation, the National Council of Garden Club, because of what we did in Selma, set a butterfly chairmanship which they had not had

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

before. We did not expect the interest that revolved around this, we selected a butterfly that is on your flag downstairs by the front door. Mrs. Franklin was responsible for that and her two daughters selected the butterfly because it was a native butterfly. It turned out to be not only native to this area, but it was considered by most authorities to be the most beautiful of butterflies out of over 700 varieties. In 1985, we requested that there be a "Save the Butterfly Day", this was again sponsored by the Garden Club of Alabama incorporated at the request of Selma. The date for save the butterfly day, which to my knowledge, no other state has, is April 16<sup>th</sup>, so we wanted to come to remind anyone who may have forgotten that Alabama is ahead in this good thing. Butterflies are not just beautiful; they are a symbol of the safety and the balance of your environment. Mrs. Breeding stated she would like to turn the next part of the program over to Mrs. Bob Ryan, she is the President of City Garden Club. Mrs. Ryan stated she has lived in several states around the U.S., and she has been here almost three years and she loves Selma. The federated City Garden Club pledges it continued efforts to enhance the city with its preservation of the butterfly because we know that it is a good sign that we have a healthy balancing. Mayor Perkins presented a resolution for "Save the Butterfly Day" designated April 16<sup>th</sup> Save the Butterfly Day. He also presented the Beautiful Award for the City of Selma to Mrs. Breeding.

**B. Raises for Employees & Department Heads.** Mayor Perkins stated that he would like to resurrect the issue and would like to ask the Council for favorable consideration for raises for the department heads and employees making more that \$25,000.00 and are not a part of an existing pay plan. A brief discussion followed and a motion was made by Councilwoman Martin and seconded by Councilwoman Sewell to grant a 3% raise to those identified employees that are outlined and presented by the Mayor. The motion passed with a majority vote of the Council. There were five affirmative votes and four negative votes. Councilman Sexton, Councilwoman Franklin, Councilman Tucker and Councilman Durry cast negative votes.

**C. Resolutions for Capital Equipment Bid Items.** Mayor Perkins attempted to present several resolutions to the Council that included equipment purchases resulting from the 2003 Warrant Issue. After brief discussions, because of obvious opposition the Mayor withdrew his recommendation and recommended tabling the resolutions until the next Council meeting.

**D. Rotary Club-BBQ Pit.** Mayor Perkins asked the Council to vote on and approve the development of the reconstruction of the BBQ Pit at Memorial Stadium. A motion was made by Councilwoman Martin and seconded by Councilman Durry to approve the rebuilding of the BBQ Pit that was burned some time ago. After a brief discussion, the motion passed with a majority vote of the Council. There were eight affirmative votes and one negative vote. Councilwoman Franklin cast the only negative vote.

**E. Summer Youth Program.** Mayor Perkins stated he would like to bring attention to the second and third item, if you recall during the last meeting the youth came forward and suggested to us that we reduce the hours and even consider reducing the hourly rate so that we can afford to fund the program. Mrs. Vickey Locke, Mr. Daryl Thomas and Mrs. Sherri James have gotten together and worked on this and this is what they shared with me; the third item on this list, the recommendation for 15 hours at \$5.25 per hour, looks very attractive and equates to \$508.65 per youth, which means that if we hired 100 youth it would cost us \$50,000.00. Mayor Perkins stated he is not asking for any action at this time. He asked the Council to review the four options and we can talk about it again before it's too late. After further discussion, President Evans stated we should move forward with the program. Councilman Durry and Councilwoman Sewell concurred with President Evans.

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**F. Resolution - Summer Food Nutrition Program.** Mayor Perkins presented the Council with a resolution of the Summer Food Nutrition Program. A motion was made by Councilwoman Franklin and seconded by Councilwoman Sewell to approve the resolution of the Summer Food Program for 2003. A roll call vote was taken and the motion was passed with a majority vote of the Council. There was one abstention. Councilman Durry declined to vote.

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

**G. Resolution – U. S. Fire Administration.** Mayor Perkins presented the Council with a resolution of the Federal Emergency Management Agency, U. S. Fire Administration FY2003 grant requesting favorable consideration of the Council authorizing the City to proceed with funding in the amount of \$227,385.00, the City pledges to provide a 10% match in the amount of \$22,738.00. A motion was made by Councilwoman Franklin and seconded by Councilman Tucker to approve the resolution as stated by the Mayor. A roll call vote was taken with a unanimous vote of the Council.

**H. Contract - EMA.** Mayor Perkins presented an alternative cost recovery agreement for the Emergency Management Agency. The first version of the agreement was not acceptable because it would not allow the city to be reimbursed for any cost for HasMat services provided within the City of Selma and within the Police Jurisdiction. Mayor Perkins stated that today he received a modified version of that agreement and there is a one word amendment that he has not had a chance to discuss with Probate Judge Jones. The Probate Judge is out of town, but he would like to request Council approval of the execution of this contract with the EMA with the change of the word "or" to "and". A motion was made by Councilwoman Crenshaw and seconded by Councilwoman Martin to approve this agreement with the amendment as per the Mayor. The motion passed with a majority vote of the Council. There were eight affirmative votes and Councilwoman Sewell was not present in the Chamber when the vote was taken.

**I. Introduction of Mr. Hill – Tennis Coach.** Mayor Perkins introduced Mr. Louis Hill to the City of Selma and City Council. Mr. Hill is the tennis coordinator for the City, if you recall the City of Selma Recreation Department and the Selma City School System have completed plans to develop a Tennis Program for the City. The reason that it did not involve any Council action is because we are not using City funds. The Selma City School System has agreed to pay \$15,000.00 per year approved by the school board and by the superintendent. Additionally, the City has received a grant that requires no matching funds of \$65,000.00 from the Alabama Tombigbee RC & B Council. Combined we are able to fund this program for two consecutive years without appropriating any monies from the general fund. Mr. Louis Hill is ranked number three in the state. Our own Mr. Donnie Ellis, is ranked number one in that same category. This means that Selma will have the number one and the number three ranked tennis players in their age category in the entire state. In the Southern Division, Mr. Hill is ranked number sixteen and Mr. Ellis is ranked number thirty in the entire division.

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

**A. Ordinance – Historic Development.** Attorney Nunn stated during the last Council meeting that there was an ordinance presented for the Historic Development Commission, which had been forwarded to the Selma Times Journal, which would cost about \$2,800.00 to publish. He stated that the ordinance was put on first reading and the old ordinance failed to be dealt with and at this time he is asking for a motion to rescind the old amended ordinance amending #01-9091. A motion was made by Councilwoman Franklin and seconded by Councilwoman Sewell to rescind the "old" historic ordinance. A roll call vote was taken and the motion was passed with a unanimous vote of the Council.

**B. Contract – E-911.** Attorney Nunn presented a contract that was put on first reading at the last Council Meeting concerning a contract between the Dallas County Communication District 911, the City of Selma and the Dallas County Sheriff's Department. Attorney Nunn stated the Dallas County Communications prepared the agreement and since there are only about four more months on this contract, he is requesting approval at this time. A motion was made by

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**C. Resolution - Separation of City Clerk and City Treasurer Positions.** Attorney Nunn presented a copy of a resolution to separate the positions of City Clerk and City Treasurer. Following a lengthy discussion, a motion was made by Councilwoman Martin and seconded by Councilman Tucker to separate the two positions. A roll call vote was taken and the resolution

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

was passed with a majority vote of the Council. There were seven affirmative votes and two negative votes. Councilman Randolph and Councilwoman Crenshaw cast negative votes.

### **D. Ordinance – City Judge Appointments & Kyra Sparks Letter of Resignation.**

Attorney Nunn presented the Council with an ordinance to renew the two-year appointments of Judge Kyra Sparks and Judge Gregory Tolar, to be retroactive to 2002. Attorney Nunn also presented the Council with a letter from Judge Kyra Sparks stating she will no longer serve as municipal judge as of the end of her appointment in July 2004. Said appointment of Judge Kyra Sparks is retroactive to August 2002 and appointment of Judge Gregory Tolar is retroactive to October 2002. A motion was made by Councilwoman Franklin and seconded by Councilwoman Martin for the suspension of the rules and to proceed with the ordinance on tonight. A roll call vote was taken with a unanimous vote of the Council. A motion was made by Councilwoman Franklin and seconded by Councilman Sexton to adopt the ordinance. A roll call vote was taken with a unanimous vote of the Council.

## **III. MR. CARL C. MORGAN, JR**

Mr. Carl C. Morgan, Jr. stated he was present before Council to make his monthly liaison report. Mr. Morgan report consisted of the following items:

- Went down to St. Lukes' Chapel at Martin Station with a representative of the AHC. The plans to move it will require some extensive stabilization and a time schedule will be setup.
- Went to Montgomery to AHC to discuss the proposed move of St. Lukes'. A site for the relocation at Cahawba must be determined and checked out. Took a copy of the resolution regarding the move, adopted at the February 20<sup>th</sup> meeting, and invited Dr. Warner to come to Selma to discuss the project.
- Met with the members of the Central Alabama Waste Authority to try and get their viewpoint on the last agreement proposed by Mr. Mosley (SEES). After thoroughly discussing the project, no action by the members was adopted.
- Dr. Warner cam over to meet with us and to discuss the plans being made to stabilize the Frambro and Barker structures and to update us on the St. Lukes' Project. He suggested that we have a representative meet with the commission members when they meet in Selma in May.

## **IV. SCHOOL BOARD APPOINTMENTS**

Councilwoman Crenshaw stated the School Board applicants list is ready for vote for current vacancies. She asked if the Council would vote according to the numbers listed by the name of each applicant. A roll call vote was taken with a majority vote for numbers six, seven, nine and ten.

## **V. GARBAGE COMMITTEE REPORT**

Councilman Durry requested to allow the current Garbage Collection policy to remain as is and to revisit the issue at a later date.

## **VI. ORDINANCE - LOITERING.**

President Evans stated that Mayor Perkins and City Attorney are working on a revision for this ordinance for Council approval at a later date

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**VII. MEETING TO REDRAW WARD LINES**

President Evans stated he would like to remind the Council that they are to meet at 8:30 a.m., Thursday, April 17<sup>th</sup>.

#### **VIII. FINANCIAL REPORTS**

Councilwoman Franklin stated she is concerned about the status of the City on the \$70,000 owed to the County, the Department of Labor with the Police Department, and the situation with the W2's. Vickey Locke, Finance Director, stated that one payment has already made and between now and the end of the fiscal year it will be paid in full. She stated that regarding the W2's, some have already been issued and there are some that are still to be picked up.

#### **IX. WEDDING AND FIREWORKS**

Councilwoman stated that in the Public Safety Committee meeting there was a discussion regarding a display of fireworks at a wedding to take place at St. James Hotel for Clara Green. She stated she would be turning this information over to the Mayor and the Fire Chief for their plans and recommendations regarding indemnification for this fireworks display. President Evans stated that he doesn't think the Council should make the decision regarding this fireworks display, he stated that it should be brought before the Public Safety Committee. Attorney Nunn was asked to put the language together with regards to the Police jurisdiction.

#### **X. RESCHEDULING OF NEXT REGULAR COUNCIL MEETING**

Following a brief discussion, a motion was made by Councilwoman Sewell and seconded by Councilwoman Franklin to reschedule the next regular Council Meeting on Monday, April 21, 2003 at 5:00 p.m. The motion was carried with a majority vote of the Council. There were eight affirmative votes and one negative vote.

#### **XI. NATIONAL LIBRARY WEEK**

Councilwoman Sewell stated the National Library Week will take place the week of April 17, 2003.

#### **XII. YOUTH IN GOVERNMENT**

Councilwoman Sewell stated that the Youth-In-Government had a wonderful closing ceremony on last Wednesday night. Mayor Perkins, President Evans and Councilwoman Martin attended.

#### **XIII. SELMA'S PROMISE**

Councilwoman Sewell stated she would like the Council to know that she spoke with Congressman Artur Davis prior to his election and since he was elected to ask him to support Youth Build 2003. She stated she has brought information concerning Youth Build 2003, and she is asking for the City of Selma's help to apply.

#### **XIV. RESOLUTION – DAN RUTLEDGE**

Reading of the Resolution in recognition of former Councilman Dan Rutledge. A motion was made by Councilwoman Franklin and seconded by Councilwoman Sewell to adopt the resolution as read. The motion was passed with a unanimous vote of the Council.

#### **RECREATION COMMITTEE REPORT**

Councilman Durry stated there is a full-page ad in the newspaper regarding the children

\$70,000 owed to the County, the Department of Labor with the Police Department, and the situation with the W2's. Vickey Locke, Finance Director, stated that one payment has already been made and between now and the end of the fiscal year it will be paid in full. She stated that regarding the W2's, some have already been issued and there are some that are still to be picked up.

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#### **RECREATION COMMITTEE REPORT**

Councilman Durry stated there is a full-page ad in the newspaper regarding the children enjoying the opportunities of the Recreation Department. He stated that this is the essence of what can happen in the city if take care of our kids.

#### **ADMINISTRATIVE COMMITTEE REPORT**

There was no report from the Administrative Committee.

**PUBLIC SAFETY COMMITTEE REPORT**

Councilwoman Franklin stated that there was a committee meeting today and the discussion of electrical golf carts are a problem around the city. She stated she would speak with Chief Green as to whether they need to have tags. She stated she will find out if the litter vacs need tags also. She also stated she thinks the cart driver should be at least 16 years of age and need to be get citation if not compliant.

**COMMUNITY DEVELOPMENT COMMITTEE REPORT**

Councilwoman Martin stated that Operation Clean-up for Selma will focus on our schools and it will kick off on Friday, May 2, 2003 from 6pm-8pm at the Walmart Supercenter. Contact the schools if anyone would like to help. There will be a cash prize of \$500.00. There will be trash trailers located at designated schools.

**PUBLIC WORKS/GENERAL SERVICES COMMITTEE REPORT**

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

**DISCRETIONARY FUND COMMITTEE REPORT**

There is no report from the Discretionary Fund Committee.

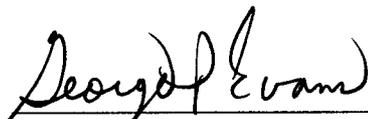
**XV. CERTIFICATE OF APPRECIATION**

Bridge Crossing Jubilee Parade.

**XVI. EXECUTIVE SESSION**

A motion was made by the council to adjourn into executive session.

A motion was made to reconvene the regular Council Meeting and there being no other business to come before the Council, on motion made Councilwoman Franklin and seconded by Councilwoman Sewell, the Council voted by unanimous consent to adjourn at 9:35 p.m.

  
George P. Evans, President

ATTEST:

  
Sequita R. Oliver, Interim City Clerk

APPROVED:

  
James Perkins, Jr., Mayor