

MINUTES OF THE SELMA CITY COUNCIL MEETING HELD ON MONDAY, SEPTEMBER 24, 2001

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, September 24, 2001 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, Bennie Ruth Crenshaw, and James Durry. Councilman Benny L. Tucker was absent from the meeting. Others present were City Attorney Jimmy Nunn, City Clerk Jackie Smith, and the Mayor's Administrative Assistant Sherri James. Mayor James Perkins was absent from the meeting. The Reverend Dr. Stuart Thomas Wilson gave the invocation.

After roll call, President Evans declared a quorum present and the meeting was opened for the transaction of business as set forth on the agenda. President Evans asked if there were any additions or corrections to the agenda prepared for this meeting. President Evans asked that the agenda be amended to include the next scheduled budget meeting on Thursday, September 27, 2001. There being no other amendments to the agenda, on motion made by Councilwoman Sewell and seconded by Councilwoman Martin, the agenda was approved with the stated amendments.

President Evans asked if there were any additions or corrections to the minutes of the September 10, 2001 Council meeting. Councilwoman Franklin motioned that the minutes of September 10th be amended to record the Council's unanimous vote of approval of the HUD Community Renewal Project. There being no other additions or corrections to the minutes, on motion made by Councilwoman Franklin and seconded by Councilwoman Sewell, the minutes were approved as recorded.

I. CITY ATTORNEY'S REPORT

A. Claim of Steve South. Attorney Nunn informed the Council that he is in receipt of a demand letter in the amount of \$25,000 from Mr. South's attorney. Attorney Nunn stated it is his recommendation that this claim be denied based on the facts of the case. A motion was made by Councilwoman Crenshaw to deny the claim of Mr. Steve South. Councilwoman Franklin seconded the motion. The motion to deny the claim passed with a majority vote of the Council. Councilwoman Sewell was absent from the Chamber during the vote.

B. Claim of Gene Atkins. Attorney Nunn informed the Council that the attorney for Mr. Gene Atkins has made an offer to settle this claim for \$40-50,000. Attorney Nunn stated it is his recommendation that this claim be denied. A motion was made by Councilman Durry to deny the claim of Mr. Gene Atkins. Councilman Randolph seconded the motion. The motion to deny the claim passed with a unanimous vote of the Council.

C. Rezoning Ordinance. Attorney Nunn presented the Council with copies of a petition filed on behalf of Mr. James Johnson to request to rezone 200 Karen Street from an M-3 to an R-50A. The legal description of the property is enclosed with the petition. Attorney Nunn stated the petition for rezoning has been presented to and approved by the Board of Adjustment. Councilman Durry motioned to approve the petition to rezone 200 Karen Street from M3 to an R50A zone. Councilwoman Sewell seconded the motion. The motion passed with a unanimous vote of the Council.

D. Rezoning Ordinance. Attorney Nunn presented the Council with copies of a petition filed on behalf of Michael Barnett and Jennifer Barnett to request to rezone property located on Old Orrville Road from an R75 to an R50B. The legal description of the property is enclosed with the petition. Attorney Nunn stated conflict exists whereby property owners in close proximity of the subject property were not properly notified of this proposed change. Attorney Nunn stated it is his recommendation to deny this request until proper procedures have been followed. Councilwoman Crenshaw motioned to deny the petition to rezone certain property on

I. CITY ATTORNEY'S REPORT

E. Police Department Merit System Employees. Attorney Nunn stated it is the consensus of the Council that he prepares a request for an Attorney General Opinion relative to Legislative Act 2001-463 affecting Police Department officials. The law makes reference to the Police Chief and possibly Assistant Chiefs becoming merit system employees.

F. Liquor License Applications. Attorney Nunn presented two liquor license applications and turned them over to the Public Safety Committee for review and a recommendation at the next Council meeting. Councilman Sexton recommended Council suspend the rules for immediate consideration since the applications are transfers only.

1. Edwards & Edwards – Mr. Thomas Giddings, Mrs. Lynne E. Giddings and Mr. George Edwards, Jr. submitted a retail table wine application for Country Corner located 12868 Alabama Highway 14 West. A motion was made by Councilwoman Martin and seconded by Councilwoman Franklin to suspend the rules for immediate action on the table wine application. On roll call vote the motion to suspend the rules passed with a unanimous vote of the Council. A motion was made by Councilwoman Martin and seconded by Councilwoman Franklin to approve the retail table wine application submitted for Country Corner. The motion to approve the application passed with a unanimous vote of the Council.
2. Edwards & Edwards – Mr. Thomas Giddings, Mrs. Lynne E. Giddings and Mr. George Edwards, Jr. submitted a retail table wine application for Broad Street Chevron located 907 Broad Street. A motion was made by Councilwoman Franklin and seconded by Councilman Sexton to suspend the rules for immediate action on the table wine application. On roll call vote the motion to suspend the rules passed with a unanimous vote of the Council. A motion was made by Councilwoman Franklin and seconded by Councilwoman Martin to approve the table wine application submitted for Broad Street Chevron. The motion to approve the application passed with a unanimous vote of the Council.

Attorney Nunn stated six club owners submitted applications to change their business license to a lounge retail liquor license at the last Council meeting. The applications were placed on first reading for review and a recommendation. Councilwoman Franklin stated this matter was discussed in detail at the work session and the consensus of the Council was to vote on the applications as a package. The applications are listed below.

1. Tabard's Inn, Inc. – Mr. Albert C. Hatcher has submitted a lounge retail liquor license application for Tabard's Inn, Inc. The club is located in the Selmont area at 1110 Churchhill Avenue. Tabard's Inn has a club license and is requesting a change to retail license.
2. Roger's Loung, Inc. – Mr. George Thacker has submitted a lounge retail liquor license application for Roger's Lounge, Inc. The club is located 2005 Highway 14 East. Roger's Lounge has a club license and is requesting a change to retail license.
3. Club 49, Inc. – Mr. Henry Jackson has submitted a lounge retail liquor license application for Club 49, Inc. The club is located 3215 Water Avenue. Club 49 has a club license and is requesting a change to retail license.
4. Top Class Lounge, Inc. – Mr. Tommy Thomas has submitted a lounge retail liquor license application for Top Class Lounge, Inc. The club is located 979 Cecil Jackson Bypass. Top Class Lounge, Inc. has a club license and is requesting a change to retail license.
5. Double G. Social Club, Inc. – Ms. Virginia Henderson has submitted a lounge retail liquor license application for Double G Social Club, Inc. The club is located 1629 West Highland Avenue. Chief Tate is recommending this application be approved.

I. CITY ATTORNEY'S REPORT

F. Liquor License Applications.

6. Darrell's Sports Bar & Grill - Mr. Darrell Bossie has submitted a lounge retail liquor license application for Darrell's Sports Bar and Grille. The club is located 207 Highway 80 East. Chief Tate is recommending this application be approved.

A motion was made by Councilwoman Franklin to approve the six lounge retail liquor license applications. Councilwoman Sewell seconded the motion and it passed with a unanimous vote of the Council.

II. MR. BILLY HICKS – SELMA WATERWORKS & SEWER BOARD

Mr. Billy Hicks, Chairman of the Selma Waterworks and Sewer Board presented each Council member with a package of documents and stated he was present to update the Council on several issues of concern. The contents of the package and the presentation are as follows:

1. Letter to Bob Sanders concerning garbage fees. Mr. Hicks stated Mr. Bob Sanders has requested the Selma Waterworks and Sewer Board continue billing and collecting the city's garbage fee through December 31, 2001. The letter addressed to Mr. Sanders informs him of the Waterworks agreement to continue billing and collecting the garbage fee through December 31st. Councilwoman Franklin stated this letter should be made a part of the official Council minutes.

2. Resolution and Deed concerning sewer lines. Mr. Hicks stated there has been some recent concern of who owns and should maintain the sewer lines. Mr. Hicks stated resolution shows the City of Selma conveyed to the Waterworks and Sewer Board the sewage disposal plant, the main trunk interceptor sewer lines and the pumping stations. The resolution further states all other sewer lines in the City shall remain the property of the City of Selma. Councilwoman Franklin requested the resolution and the indenture be made a part of the official Council minutes. President Evans also requested the City Clerk research the Council minutes to locate a copy of the minutes of the Council meeting held on November 25, 1968 when this resolution was adopted.

3. Waterworks Bond Issue. Mr. Hicks informed the Council that the Selma Waterworks and Sewer Board is in the process of a \$4.5 million dollar bond issue with \$3 million plus being spent for capital improvements to the sewer plant, the water treatment plant and the waste water treatment plant.

4. Approved Budget for Fiscal Year 2001-2002. Mr. Hicks presented the Council with a copy of the Selma Waterworks and Sewer Board fiscal 2001-2002 budget. Councilwoman Sewell stated she noticed a discrepancy in the salaries of Board members as recently reported in the newspaper versus what is listed in the budget. Mr. Hicks stated those salaries listed in the budget are correct. Councilwoman Crenshaw asked if Board members salaries were in excess of state law. Mr. Hicks stated he is not aware of Board members being over-compensated. Councilwoman Franklin requested the budget be made a part of the official Council minutes.

Councilwoman Crenshaw made a motion authorizing Attorney Nunn go before a judge for a judgement to seek clarification on the liabilities and responsibilities of the franchise of the Selma Waterworks and Sewer Board and to research all information presented by the Water Board and any other information deemed necessary. Councilwoman Sewell seconded the motion and it passed with a unanimous vote of the Council.

Councilwoman Crenshaw, at the October 22, 2001 Council meeting, asked that the minutes reflect no Council action was taken on any matters presented by Mr. Billy Hicks, Chairman of the Selma Water Works and Sewer Board.

III. JOB DESCRIPTION/PAY PLAN PROPOSAL

Councilwoman Crenshaw informed the Council that the consensus of the Administrative Committee is that Council adopts the Job Description/Pay Plan Proposal submitted by Auburn University Center for Governmental Services. Councilwoman Martin motion that the Council authorize the approval of a contract between Auburn University and the City of Selma for the development of a city-wide job description/salary plan with costs to be funded over a period of two fiscal years. Councilwoman Crenshaw seconded the motion. On roll call vote the motion passed with a unanimous vote of the Council.

IV. RAILROAD CROSSING REPAIRS

Councilman Sexton read a list of railroad crossing repairs that has been identified for repair. Councilman Durry stated there are several crossings in his ward that was not mentioned and feels more involvement with each Council member is required. Councilman Sexton stated railroad officials would notify Council, in advance, of when they are in this area for repairs.

V. HEAVY LOADED TRUCKS ORDINANCE

Attorney Nunn stated he contacted Lt. Evans of the Traffic Division who said he couldn't release the information that is necessary to draft the ordinance. Attorney Nunn stated this process is burdensome and he is going to ask the Mayor to help resolve this communication problem. Councilwoman Sewell asked Attorney Nunn to meet with Chief Tate to resolve this problem.

VII. 2001-2002 CITY BUDGET

President Evans informed the Council that the next scheduled budget work session is Thursday, September 27th at 4 o'clock whereby the Council will either adopt a new budget or adopt the current budget with amendments. After a brief discussion, President Evans recommended the Council approve, at this time, the current budget with amendments. Councilwoman Sewell motioned that the Council adopts the same general fund budget as the 2000-2001, with amendments, until the financial details of the 2001-2002 budget has been resolved. Councilwoman Crenshaw seconded the motion. On roll call vote the motion passed with a majority vote of the Council. Councilwoman Martin recused herself from action on the budget involving the Old Depot Museum.

VIII. STANDING COMMITTEE REPORTS

RECREATIONN COMMITTEE REPORT

The Recreation Committee Report was informational only.

ADMINISTRATIVE COMMITTEE REPORT

Councilwoman Crenshaw stated Val Jones, Personnel Director, is working on all city board appointments, charters, and terms in office. Councilwoman Crenshaw also made an appeal to corporate sponsors and other businesses to assist the City in hiring youths by making appropriations in their upcoming budget for the youth employment program.

Councilwoman Sewell informed the Council that the 2001-2001 Youth In Government Program would have its first meeting of the year on October 9, 2001. Each school in the area has been asked to recommend five students to the program. Council members may also make recommendations.

VIII. STANDING COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE REPORT

A. Local Law Enforcement Block Grant. Councilwoman Franklin informed the Council that the Police Department has been awarded a 2001 Local Law Enforcement Block Grant in the amount of \$72,684 with City matching funds in the amount of \$8,076 required. Councilwoman Franklin distributed copies of the minutes from the Advisory Board Meeting that contains information about the grant including the budget and proposed expenditures. Councilwoman Franklin asked that this matter be placed on first reading.

Other reports from the Public Safety Committee were informational only.

COMMUNITY DEVELOPMENT COMMITTEE REPORT

There was no report from the Community Development.

PUBLIC WORKS/GENERAL SERVICES COMMITTEE REPORT

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

CITIZEN REQUEST COMMITTEE REPORT

There was no report from the Citizen Request Committee.

IX. KOBI LITTLE - NAACP

Mr. Kobi Little, President of the Selma Chapter of NAACP, stated he was present before Council to speak on issues relevant to the NAACP. Mr. Little addressed issues of concern such as the criminal justice system and housing issues. Mr. Little also stated he would like to see more business opportunities for minorities.

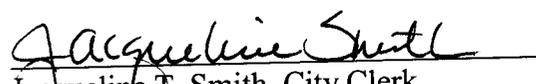
X. MRS. KATHRYN WINDHAM

Mrs. Kathryn Windham stated she was present to address the Council on a plan to bring Selma together. Mrs. Windham said music is an international language and her plan is to bring all people of Selma together by forming a comb chorus, "Making Music Together in Selma, Alabama". The tentative schedule for the Comb Chorus for performance is November 4, 2001 at 2 o'clock in front of the Public Library. Mrs. Windham has agreed to supply the combs for all citizens who are interested in joining the chorus.

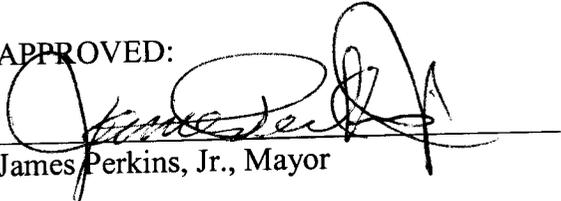
There being no further business to come before the Council, on motion made and duly seconded, the Council voted by a unanimous consent to adjourn at 6:40 p.m.


George P. Evans, President

ATTEST:


Jacqueline T. Smith, City Clerk

APPROVED:


James Perkins, Jr., Mayor