

**MINUTES OF THE
SELMA CITY COUNCIL
FEBRUARY 23, 2010
5:00 P.M.**

Call to Order

Invocation: Minister Darrio Melton
Tabernacle of Praise Church

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, February 23, 2010 at 5:00 p.m.

ROLL CALL

The following members were present during roll call: Council Pro Tempore Dr. Cecil Williamson and Council Members Councilwoman Susan Keith, Councilwoman Dr. Monica Newton, Councilwoman Angela Benjamin, Councilman Benny L. Tucker, Councilwoman Bennie R. Crenshaw, and Councilman Corey Bowie. Others present were Mayor George Evans, City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Brenda Smothers. Councilman Samuel Randolph was absent during roll call, but arrived at 5:14 p.m. Council President Dr. Geraldine Allen was absent from the Council Meeting.

APPROVAL OF AGENDA

Council Pro Tempore Williamson asked for the approval of the agenda items. A motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve the agenda items as written. The motion carried with a majority (show of hands) vote of the Council Members present. There were six affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote.

APPROVAL OF MINUTES

After approval of the agenda, Council Pro Tempore Williamson asked for the approval of the minutes of February 9, 2010 regular meeting minutes. A motion was made by Councilman Tucker, and seconded by Councilman Bowie, to approve the minutes of February 9, 2010. The motion carried with a unanimous (show of hands) vote of the Council Members present.

INTRODUCTION OF STUDENTS - SELMA-DALLAS YOUTH AMBASSADORS, BY COUNCILMAN COREY BOWIE - "IN HONOR OF CITIZENS' APPRECIATION NIGHT"

*Randy Collins, Keith High School, Junior
Kamia Turner, Keith High School, Sophomore
Franchesca Flennory, Keith High School, Junior
Devonte Richardson, Southside High School, Sophomore*

CITIZENS' REQUEST

Reverend Jim Johnson, Associate Pastor (Mr. Robert Walker)
Re: Gateway Baptist Church - "Walk-To-Calvary" March

Reverend Johnson stated he and the Church are seeking approval from the Council for their 18th Annual Presentation of their "Walk-To-Calvary". Reverend Johnson further stated the Celebration begins on Thursday, April 1, 2010, at 7:00 p.m., at the Songs of Selma Park for the Last Supper and the Garden of Gethsemane; on April 2nd, Good Friday, they will be on the steps of City Hall, to have the Trial, and then they will walk down Highway 22 to Valley Creek Park where the Crucifixion is Re-Enacted; on Sunday, April 4th, at 6:00 a.m., a Sunrise Service is scheduled at Valley Creek Park, to celebrate the Resurrection of Jesus Christ. Reverend Johnson invited the Mayor and Council, along with the Community and everyone else, to come out and help with the Re-Enactment. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Keith, to grant Gateway Baptist Church the requested approval and permit for the "Walk-To-Calvary" March, beginning on Thursday, April 1, 2010, Good Friday, April 2, 2010, and ending on Sunday, April 4, 2010, with the Sunrise Service. The motion carried with a unanimous (show of hands) vote of the Council Members present.

Mr. Sam Walker

Re: Bridge Crossing Jubilee Weekend - March 4 - 7, 2010 - Parade Permit and Security

Mr. Walker stated he was before the Council to request a permit approval for the street closings during the Annual Bridge Crossing Jubilee, beginning on Thursday, March 4th - 7th, 2010. A motion was made by Councilman Tucker, and seconded by Councilwoman Benjamin, to grant the approval for the parade permit in Honor of the Annual Bridge Crossing Jubilee. A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.

Mr. Kurt Marks

Re: Closing Streets near Bush Hog

Mr. John Caver

Re: Closing Streets near Bush Hog

Mr. Alex Summers

Re: Closing Streets near Bush Hog

MAYOR'S REPORT

INTRODUCTION OF THE "MAYOR'S YOUTH COUNCIL", BY MAYOR GEORGE EVANS

MS. YASMIN MCKINNEY, DIRECTOR, Y.M.C.A.

*MARCUS KELLY, STUDENT AT DALLAS COUNTY HIGH SCHOOL, JUNIOR
TYSHEIKA THOMPSON, STUDENT AT DALLAS COUNTY HIGH SCHOOL, JUNIOR
LATIFAH ALLEN, STUDENT AT SELMA HIGH SCHOOL, SENIOR
DEVIN KING, STUDENT AT DALLAS COUNTY HIGH SCHOOL, JUNIOR
OLIVIA CUNNINGHAM, STUDENT AT SELMA HIGH SCHOOL, SENIOR
MAYA RUDOLPH, STUDENT AT SELMA HIGH SCHOOL, SENIOR*

INTRODUCTION OF NEW EMPLOYEES

Ms. Candice Irwin, Secretary, Selma Fire Department

Police Officer Chelsea Rae Chamberlain and Police Officer David Moorer Massey, III, Selma Police Department

A. Proclamation Declaring February 26, 2010, as "Arbor Day in the City of Selma, Alabama". Mayor Evans stated to Council that he has prepared a Proclamation for the Council to approve and adopt, Proclaiming February 26, 2010, as "Arbor Day in the City of Selma, Alabama". Mayor Evans read the Proclamation in Honor of "Arbor Day in the City of Selma, Alabama" in its entirety, and urged all Citizens to celebrate "Arbor Day", to support efforts to protect our trees and woodlands, and to plant trees to "gladden the heart" and promote the well-being of future generations.

INTRODUCTION OF THE NEW ST. JAMES HOTEL - MANAGEMENT STAFF

MR. GIL JONES, CHIEF OPERATIONS OFFICERS

MR. AL BAKER, VICE-PRESIDENT OF OPERATIONS

MR. GAVIN MOON, DIRECTOR OF SPECIAL OPERATIONS

PRESENTATION OF THE MICROPHONES DONATED BY SENATOR HENRY SANDERS AND COMMISSIONER RON SPARKS, TO THE SELMA POLICE DEPARTMENT - TO BE DEMONSTRATED AT THE END OF TONIGHT'S COUNCIL MEETING BY POLICE CHIEF RILEY AND POLICE OFFICER RICHBURG.

B. New World Systems Budgetary Hardware - Proposal. Mayor Evans stated the New World Contract was left out of the information forwarded to them for their review prior to tonight's Council Meeting. Mayor Evans further stated this is an upgrade of the Contract that we already have in place, and that this component was put into the Bond for said upgrade. Mayor Evans stated to Council that what they have before them is just for their review at this point, and if they have any questions, to please forward those to him. Mayor Evans further stated he will probably ask for action to be taken at the next Council Meeting.

Councilman Williamson asked that the Administrative Committee review the Contract prior to the next Council Meeting.

C. Update - City Marina. Mayor Evans stated to Council that what they have before them is a "drawing", as it relates to the City Marina, and that he would like to meet with the Committee between now and the next Council Meeting, to discuss in further detail. Mayor Evans further stated he would like for the Council to review the "plans"; that this is a work-in-progress, as it relates to the re-building of the Marina. Coach Reece was asked to come forward to address the Council, as it relates to the discussion, and update of the City Marina. Councilwoman Newton stated that a Recreation Committee Meeting is scheduled for Monday, March 1st, in the Council Chambers, at 5 o'clock p.m., to discuss this matter further. Councilman Williamson asked that the Recreation Committee review the draft of the "drawings", and bring back a report to the Council.

D. Severe Weather Awareness Week. Mayor Evans stated to Council that they should have before them a copy of the handout that was included in the Selma Times-Journal; that he placed an Ad through his local revenues to obtain it, and that he wanted them to have this, for review and informational purposes.

E. Update on Mold - Public Works Department. Mayor Evans stated to Council that the mold that was sited at the Public Works Department Building has been removed, as of this past weekend. Mayor Evans further stated he spoke with EnviroTek, as it relates to some of the Public Works Employees assisting him with the removal of the mold, and he stated that he did not want to take on the Employees helping him, and run the risk of his Company being sued. Mayor Evans stated we had to eliminate that, and he charged us \$10,000.00 more, to do the removal himself, along with his Staff. Mayor Evans further stated he will have to find the \$10,000.00 more that he is charging us, and hopefully he will get some support from the Council in finding the money to pay him, which will be paid in three (3) stages. Mayor Evans stated meantime the Company will be back to do an inspection of what they have removed, and do another screening to make sure that it is completely gone, and will continue to treat the building for the mold, until the final treatment is done. Mayor Evans stated so far he has done a good job, and he feels a lot better for the Employees' safety, in getting the mold removed. Mayor Evans asked Chief Riley to come forward to address the Council with an update and report, as it relates to the mold at the Public Safety Building. Mayor Evans stated to Council that hopefully by the next Council Meeting they should have a complete and detailed report of the mold at the Public Safety Building.

F. Update on East Selma Fish Pond. Mayor Evans stated to Council that we have had some fish to die, and that it appears that some damage has been done to the fish in the East Selma Fish Pond. Mayor Evans asked Coach Reece to come forward, to address the situation as it relates to the fish that have been found dead in the East Selma Fish Pond. Coach Reece stated he called several people, and finally made contact with Dr. Bill Hempstreet, who is called "Dr. Catfish", who is in charge of all of the Catfish Ponds in Alabama, located in Greensboro. Coach Reece further stated he had asked him to get a water sample, which he did. Coach Reece stated he met with Dr. Hempstreet, and it has been found that the fish have a parasite which is called ICH, which is a small parasite that attacks the fish, burying under their skin and taking away the oxygen from the fish. Coach Reece further stated Catfish Farmers have this problem all the time, and that this is a "first" for us. Coach Reece stated Dr. Hempstreet took the fish (brim) that were still alive, but sick, and he will be running his tests tonight, and will call him tomorrow morning with the results, and his recommendation on what to do at this point.

G. #R183-09/10 - Resolution Awarding Contract for Resurfacing of Memorial Stadium - Lower Brothers Construction, Incorporated. Mayor Evans stated to Council that they should have within their packets Resolution #R183-09/10, Resolution Awarding Contract for Resurfacing of Memorial Stadium to Lower Brothers Construction, Incorporated, in the amount of \$111,500.00. Mayor Evans asked Council's favorable consideration of the same. Coach Reece was asked to come forward to address the Council, as it relates to questions that they may have had. During discussion, a motion was made by Councilwoman Newton, and seconded by Councilman Bowie, to approve Resolution #R183-09/10, Resolution Awarding Contract for Resurfacing of Memorial Stadium to Lower Brothers Construction, Incorporated, in the amount of \$111,500.00. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

H. #R184-09/10 - Resolution Awarding Contract for Resurfacing of Ten (10) Tennis Courts - Lower Brothers Construction, Incorporated. Mayor Evans stated to Council that they should also have within their packets Resolution #R184-09/10, Resolution Awarding Contract for Resurfacing of Ten (10) Tennis Courts to Lower Brothers Construction, Incorporated, in the amount of \$35,500.00. Mayor Evans asked Council's favorable consideration of the same. Coach Reece was again asked to address the Council, as it relates to questions that they may have had. During discussion, a motion was made by Councilwoman Benjamin, and seconded by Councilman Bowie, to approve Resolution #R184-09/10, Resolution Awarding Contract for Resurfacing of Ten (10) Tennis Courts to Lower Brothers Construction, Incorporated, in the amount of \$35,500.00. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

MAYOR'S REPORT

I. City-Wide Spring Clean-Up Day, March 27, 2010. Mayor Evans stated he would like the City of Selma to get ready for our City-Wide Spring Clean-Up Day, which is scheduled throughout the City for Saturday, March 27, 2010. Mayor Evans further stated we need one before that day, and would have loved to have had one before the Jubilee, because as he has said before, "Company is coming". Mayor Evans stated to Council that he would like feedback from each of the Council Members, as it relates to how they would like it done in their Ward. Mayor Evans further stated he will get Public Works to set up "stages" or trucks, bags, and whatever we need to make it a successful Clean-Up Day, on March 27th. Councilwoman Newton stated during the Fall of last year she had spoken with "Auntie Litter" who is from Alabama, and is a nationally known speaker. Councilwoman Newton further stated that she and Councilwoman Keith had spoken to her, and that she wanted to come to Selma, but that she is pretty expensive. Councilwoman Newton stated that they have a great program, and that it would be good to "pair" that with the City-Wide Clean-Up Day, and if the Council is interested she can bring back a proposal from Auntie Litter, by the next Council Meeting. Mayor Evans and the Council concur with that, and Councilwoman Newton stated she would do so, and that they would have to decide as a Council, how many schools they wanted her to come to.

J. Countdown to Census Day, April 1, 2010. Mayor Evans stated as everyone can see he is wearing the "T-Shirt" to support "Countdown to Census Day, April 1, 2010". Mayor Evans further stated to Council that each of them should have a Census Bag, with a T-Shirt, Cups, and all types of information as it relates to Census Day, April 1, 2010. Mayor Evans stated he encourages all of us in our Wards, if we have people that we can count on to get the "word" out about making sure that Citizens fill out the form; ten (10) questions, 10 minutes to complete it. Mayor Evans stated that Ms. Leesha Faulkner, of the Selma Times-Journal, also serves on the Committee, and she has agreed to place those ten (10) questions in the newspaper, so that people can become familiar with those questions, prior to Census Day, April 1, 2010. Mayor Evans further stated Ms. Hines and Ms. Hunter are working with the Census in our City, as it relates to the Assessment and available resources to assist anyone who needs help in filling out the Census Form. Ms. Hines was asked to address the Council as it relates to vacancies that are also available for anyone who is interested in working as "Census Takers". Mayor Evans stated the ten (10) questions will also be placed on the City's Website, and that he was just informed that the ten (10) questions are in today's Selma Times-Journal Newspaper. Mayor Evans reminded everyone that it is roughly \$1,300.00 received for each individual who sends it back, and roughly \$13,000.00 for ten (10) years, and that is valuable to our City. Mayor Evans encouraged everybody to please complete the Census Form, and send it back in.

CITY ATTORNEY'S REPORT

A. Resolution #R185-09/10 - Lien Resolution. Attorney Nunn stated to Council that they should have before them Resolution #R185-09/10, Resolution to place a lien on property for abating weeds. Attorney Nunn further stated that the Property Owners were notified to correct the nuisance and they failed to bring the property into compliance, and the City of Selma cut the grass and/or weeds. Attorney Nunn stated the Property Owners were notified again of the assessment against the property via the City Clerk's office, and they still have not paid the weed abatement amount. Attorney Nunn stated to Council he is asking their consideration of the same, to place a lien on the property in the form of Resolution #R185-09/10. A motion was made by Councilwoman Newton, and seconded by Councilman Randolph, to approve Resolution #R185-09/10, Resolution to place a lien on said properties for weed abatement. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

B. Notice of Vacating a Portion of Plant Street, Vine Street and Griffin Avenue. Attorney Nunn stated to Council that he wanted to reiterate that there will be a Public Hearing by the City Council which will be held on Tuesday, March 9, 2010, at 4:00 p.m., in the Council Chambers, here at 222 Broad Street. Attorney Nunn further stated said Public Hearing is to consider a portion of Plant Street, portions of Vine Street, and portions of Griffin Avenue. Attorney Nunn stated any Citizens alleging to be affected by the proposed vacation may submit a written objection to Ivy S. Harrison, City Clerk, 222 Broad Street, Selma, AL 36701, or they may attend the Public Hearing and have the opportunity to speak "For" or "Against" the vacationing of said Streets.

C. Charter Communications - Notice of Public Meeting. Attorney Nunn stated to Council that he wanted to again remind the Citizens that the City Council will hold a Public Hearing on Thursday, March 11, 2010, beginning at 6:00 p.m. until 7:30 p.m., at the Carl Morgan Convention Center, located at 211 Washington Street, as it relates to Charter Communications. Attorney Nunn further stated the City Council will use this Public Hearing to assess the past performance of Charter Communications, and to determine the future cable-related community needs of the City of Selma; help determine the number of Channels that are available, reception, quality, availability of high-speed internet service, quality of customer service, local community programming, and other issues of public interest. Attorney Nunn stated the City Council welcomes the public's participation in this process, and that comments may also be submitted in writing to the attention of Ivy S. Harrison, City Clerk, 222 Broad Street, Selma, AL 36701.

CITY ATTORNEY'S REPORT

D. **Alcoholic Beverage License Application - Mehulkumar Patel - Captain's Package Store, 3000 Citizens Parkway, Unit B.** Attorney Nunn stated to Council that they should have before them an Alcoholic Beverage License Application asking for a Lounge Retail Liquor - Class II (Package) Off Premises Only, to be located at 3000 Citizens Parkway, Unit B; namely, Captain's Package Store. Attorney Nunn stated said Alcoholic Beverage License Application was placed on 1st Reading during the last Council Meeting, and he is asking Council's consideration of the same. Mr. Patel was asked to come forward to address the Council with an explanation to questions that they may have had. During discussion, a motion was made by Councilwoman Benjamin, and seconded by Councilman Bowie, to approve said Alcoholic Beverage License Application of Captain's Package Store. A roll call vote was taken and the motion passed with a majority vote of the Council Members present. There were four affirmative votes and two nay votes. Council Pro Tempore Williamson and Councilwoman Newton each cast a nay vote.

E. **Nix, Holtsford, Gilliland - Invoice/Statement.** Attorney Nunn stated to Council that they should have before them an invoice from Nix, Holtsford, and Gilliland, as it relates to the reimbursement of Attorney Fees in the amount of \$519.75. Attorney Nunn asked Council's consideration and approval of the same. During discussion, a motion was made by Councilman Tucker, and seconded by Councilwoman Newton, to approve the payment of Attorney Fees in the amount of \$519.75, to Nix, Holtsford, and Gilliland. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

F. **Solicitation Ordinance.** Attorney Nunn stated to Council that Councilman Randolph was absent from our last Council Meeting, due to surgery, and that he did present to the Council, Ordinance #O103-09/10, Solicitation Ordinance within our City. Attorney Nunn further stated he made the revisions that were requested by Councilman Randolph, as it relates to the exemptions. Attorney Nunn stated additions were made to Section 9-A, for Church Groups, Schools, Boy Scouts and Girl Scouts. Attorney Nunn further stated said Ordinance #O103-09/10 was placed on 1st Reading during the last Council Meeting, and that this was also done to allow Councilman Randolph time to review it as well. A motion was made by Councilman Randolph, and seconded by Councilwoman Newton, to approve said Ordinance #O103-09/10, Solicitation Ordinance. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

G. **Proposed Tire Ordinance.** Attorney Nunn stated to Council that, per the request of Councilman Bowie, we are in the process of researching a tire ordinance for the City of Selma. Attorney Nunn further stated he is still working on this.

BUSINESS ITEMS:

I. **NOISE ORDINANCE**

Councilwoman Newton stated she is in receipt of a letter concerning the noise situation in our City that she received from Ms. Judy Ellis, of St. Petersburg, Florida. Councilwoman Newton further stated that Ms. Ellis' organization is part of a national, non-profit grass roots group that works to reduce noise pollution. Councilwoman Newton read the letter in its entirety. Councilwoman Newton stated she would like for the Council to consider doing something similar to what they are doing there, and that she thinks it would be a good program for us, which is a suggestion. Mayor Evans addressed the Council and stated that he will give this some attention, to make sure that they can come up with a plan to address the problem of noise in our City.

II. **WARD 4'S 2ND ANNUAL BLACK HISTORY CELEBRATION - FEBRUARY 25TH AND 26TH**

Councilwoman Benjamin again invited everyone to Ward 4's 2nd Annual Black History Celebration, to be held on February 25th, at 5:30 p.m., at the Performing Arts Center; Friday, February 26th, from 12 noon until 3:00 p.m., a "Lunchtime" Symposium, and later that evening, it will end with a Book Signing and Jazz Café for the Adults, and "Snack and a Movie" for the Children, also at the Performing Arts Center. Councilwoman Benjamin stated she is hoping that everyone can come and be a part of this Celebration.

III. **LITTER FREE EVENTS**

Council Pro Tempore Williamson stated that Councilwoman Keith had placed this item on the Agenda, but that she had to leave, and asked that this item be continued until next Council Meeting.

IV. **BALLING FOR HAITI FUNDRAISER**

Councilwoman Benjamin stated that the date for this event has been moved to March 20th because of a conflict with the date of February 27th, and that February 27th will be the date for the second meeting, to discuss upcoming events.

BUSINESS ITEMS:

V. POLICE JURISDICTION

Councilwoman Newton stated she is wondering if it is possible to see how much sales tax revenue is on the "board", that we can compare that to the percentage of service that we provide to the police jurisdiction, and that maybe this is something that the Public Safety Committee can look at, to bring back a report to the Council. Mayor Evans stated that we receive roughly 2% in revenue from the Police Jurisdiction. Mayor Evans further stated that there had been a meeting with the Sheriff, and others, in looking at a way to resolve this issue. Attorney Nunn was asked to research the matter as to who makes the decision of whether or not the police jurisdiction is continued as a service of the City of Selma. Mayor Evans stated that we should keep in mind when deciding whether the service is continued by the City or not, that people live in the police jurisdiction, but that they shop in Selma, and that if we take services in the police jurisdiction from them, we run the risk of losing tax dollars being spent in Selma. Mayor Evans stated he would like to address this issue again with the Public Safety Committee, along with Police Chief Riley, to have some dialogue and bring back a report to the Council.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilwoman Monica Newton, Chairman

Councilwoman Newton reiterated that the Recreation Committee Meeting is scheduled for Monday, March 1st, in the Council Chambers, at 5:00 p.m.

ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman

No report.

PUBLIC SAFETY COMMITTEE - Councilman Samuel Randolph, Chairman

No report.

PUBLIC WORKS/GENERAL SERVICES COMMITTEE - Councilwoman Susan Keith, Chairperson

Councilwoman Keith was absent from the Council Meeting.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

No report.

SELMA-DALLAS YOUTH AMBASSADORS - Councilman Corey Bowie, 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 Bowie, and seconded by Councilman Randolph, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 7:17 p.m.

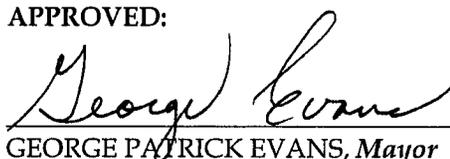


DR. CECIL WILLIAMSON, *President Pro Tempore*

ATTEST:


IVY S. HARRISON, *City Clerk*

APPROVED:


GEORGE PATRICK EVANS, *Mayor*