

**MINUTES OF THE
SELMA CITY COUNCIL
JANUARY 10, 2012
5:00 P.M.**

Call to Order

Invocation: Minister Sidney McCollum,
First Presbyterian Church

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, January 10, 2012 at 5:00 p.m.

ROLL CALL

The following members were present during roll call: Council President Dr. Cecil Williamson and Council Members Councilman Thomas Atchison, Councilwoman Susan Keith, Councilman Greg Bjelke, Councilwoman Angela Benjamin, and Councilwoman Bennie R. Crenshaw. 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, Ms. Brenda Smothers. Councilman Benny L. Tucker was absent during roll call, but arrived at 5:02 p.m. Councilman Corey Bowie was absent during roll call, but arrived at 5:12 p.m. Councilman Samuel Randolph was absent from the Council Meeting, due to Military Duty.

APPROVAL OF AGENDA

President Williamson asked for the approval of the agenda items. A motion was made by Councilwoman Benjamin, and seconded by Councilman Bjelke, to approve the agenda items as written. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

APPROVAL OF MINUTES

After approval of the agenda, President Williamson asked for the approval of the minutes of December 13, 2011 regular meeting minutes. A motion was made by Councilman Tucker, and seconded by Councilman Bjelke, to approve the minutes of December 13, 2011. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

CITIZENS' REQUESTS

Mr. Don G. Bevel-EL
S.E.E.D.
Re: Status on Benjamin A. Sterling Turner Plaque

Mr. W. P. Swift, III
Re: Old Y.M.C.A. Building
During discussion, President Williamson stated that we are going to have a Hearing on this matter on next Tuesday, January 17, 2012, at 3:00 p.m., in the Council Chambers.

PUBLIC COMMENTS ON REDISTRICTING

No one was present to make public comments.

President Williamson stated that our plan is to present a "plan" to put on 1st Reading at our next Council Meeting. President Williamson further stated that in talking with Attorney Nunn, he believed that he stated

to him that the procedure would be for the Council to adopt One (1) Plan, and then have Hearings on that One (1) plan, and then if we wanted to make changes, they could make changes, and if they did not, they would send it on with public comments. President Williamson asked Attorney Nunn if that was the procedure? Attorney Nunn answered, and stated that that is the procedure. Attorney Nunn further stated at this point and time, there are Five (5) different Proposals, but we have to choose One (1) and then give an opportunity for the public to state their comments, whether there are any changes or not, and even those public comments have to be sent to the Justice Department on that One (1) Plan. President Williamson asked Attorney Nunn if it was his understanding that this is the procedure, in terms of the way to do this from the Justice Department? Attorney Nunn answered, and stated "yes", and that he had talked with the Justice Department, and the more comments that we have on the One (1) Plan, the better it is, and they would, as it relates to them, reveal it; that you have to have public comments on the Plan that is being presented. Councilwoman Crenshaw stated to Attorney Nunn, that she thinks what has happened then, is that the public has been misled, thinking that they are to comment on all of the Plans; they are thinking that we are about to have hearings to get comments on all of the Plans. Councilwoman Crenshaw further stated that Attorney Nunn is saying now, that we are only going to have One (1) Plan to be adopted, and they are only going to get to comment on that One (1) Plan. Councilwoman Crenshaw asked Attorney Nunn if he was now saying that the Justice Department just said that to him; that they need to adopt One (1) Plan? Attorney Nunn answered, and stated "no", and that they have always known that. Attorney Nunn stated to Council that if they recall, when they went to Montgomery, the Proposals were drafted, and they decided that those Proposals would be placed on the back wall in order for the public to review, in an effort to help the Council make their decision, as to which Plan to decide on. Attorney Nunn stated that the Justice Department is only considering the Council's vote as it relates to their redistricting, whether or not the Public was given an opportunity to state and give comments of any sort on that Plan. Attorney Nunn further stated that all of this was outlined in the Procedures that he gave to the Council about 2 or 3 weeks ago. Councilwoman Crenshaw asked President Williamson if she was correct in understanding that he had stated that the Council would have Hearings on the Plans, and then hear from the Citizens on all of the Plans, which would help them make a decision on a Plan? During discussion, Attorney Nunn stated that this is nothing new that he is presenting to the Council; that we have done redistricting in the past, and we should know that in the past, if you go back and review the Minutes, we have had to have a public hearing on that One (1) Plan. Attorney Nunn also stated to Council that whatever the Council wants to do prior to the adoption of that One (1) Plan is up to the Council; if they want to have Ten (10) Hearings, that's fine; that it does not matter until that One (1) Plan is adopted. Attorney Nunn stated once that One (1) Plan is adopted by the Council, then they would have to open it up to the Public. Councilwoman Benjamin stated "yes" we did say that we were going to have Public Hearings, and she "takes" it that they are going to have those Hearings, and stated to Attorney Nunn that what he is saying is that he is informing them of information that he has already given them in the packet. Councilwoman Benjamin further stated that he is saying that we can have those Hearings, but after those Hearings from the Public, they have to vote on One (1). Attorney Nunn concurred that that is correct. President Williamson asked Attorney Nunn if they do have a Public Hearing or "two" and let Citizens comment on all of the Plans, even after they adopt One (1) that they are going to have to have Public Hearings on that One (1) Plan? Attorney Nunn answered, and stated "yes". President Williamson stated that that may be the best procedure, if it would satisfy Councilwoman Crenshaw's concern; that they could have a Hearing or "Two" on everything, and adopt One (1) Plan, and have Public Hearings on that One (1) Plan, and send those to Washington. Attorney Nunn stated that it would not be anything wrong with that. Councilwoman Crenshaw stated to President Williamson that she would like to make one last comment, and stated to Attorney Nunn that he needs to remember what is being said because our President stated that there would be Hearings on the Plans, and she does not see how he could miss that, and that if there are going to be Hearings on the Plans, that is what the Citizens were going to be looking for, and that if he knew at that time when he made those statements about that, then he should have cleared that up right then. Councilwoman Crenshaw further stated that he should have stated that we are not going to have Hearings on all of those Plans; we are only going to have a Hearing on the one that the Council adopted, and that is what the people needed to have understood. Councilwoman Crenshaw stated that she just needed that stated. Attorney Nunn stated that that is what he is saying, that they could have Ten (10) Hearings; that it does not matter as it relates to his position in submitting to the Justice Department. Attorney Nunn further stated that his position comes in when the Council takes a vote on One (1) Plan, and that he has got to have at least One (1) Public Hearing once the Council votes on that One (1) Plan. Attorney Nunn stated that the Justice Department is not concerned about Five (5) different Plans, and how many Hearings we had; that they are only concerned about the Plan that they vote on, and opening it up to the Public for Comments on that One (1) Plan. President Williamson stated that the way that we would proceed is that we will have a couple of Public Hearings on all of the Plans and then we will adopt One (1) Plan, and have a couple of more Hearings on that One (1) Plan, and that is the procedure that they will follow. Councilwoman Keith stated to Attorney Nunn in retrospect there are some things that might work better, and asked if they would have the chance to go back to Montgomery, because she is thinking that there would be some things that would work better. Attorney Nunn stated, as was stated to President Williamson this month, if the Council has changes, then they can present those changes to him, and he would forward them to Cynthia in Montgomery, and she will submit and draft out another Map, and forward back to us to make sure that it reflects what the Council wants. Attorney Nunn further stated if it is the desire of the Council, that we can schedule another meeting for everybody to go back to Montgomery, and the changes

can be presented at that time. Attorney Nunn stated to the Council that we have got to have approval in Three (3) months. Councilman Tucker stated that we have had these Plans before and that we can only present One (1) Plan. Councilman Tucker further stated that he has called and spoken to the Justice Department, and that if the Council wants to, they can get "from under the Plan". Councilman Tucker stated that he was told by the Justice Department that they as a Council can submit in writing, if they wish to "get from under the Plan". Councilwoman Crenshaw stated to President Williamson that she wanted to thank him for bringing it back to the Public, all of the Five (5) Plans that are there, and that she thinks it is very important that they have the opportunity to "voice" that, and let them know which direction they want the Council to go. Councilwoman Crenshaw further stated that that was her real concern; that they would have the opportunity to break down all of them in terms of how they feel, and then direct them as their Representative, so that they would know what to do for them.

MAYOR'S REPORT

PRESENTATIONS, RECOGNITIONS, AND PROCLAMATION

PROCLAMATION. Mayor Evans stated to Council that he would like to present and acknowledge the following Proclamation, and that each of them should also have a copy within their packets:

Proclamation - "School Board Member Recognition" Month. Mayor Evans asked President Williamson to come down, for the Presentation of the Proclamation, honoring "*School Board Member Recognition" Month.* Mayor Evans, on behalf of himself and the Council, read the Proclamation in its entirety, and asked the Citizens to join them in Proclaiming the *Month of January, 2012*, as "*School Board Member Recognition" Month* in the City of Selma, and encouraged all of our Citizens to salute and thank the Members of the Selma City Board of Education for their service to our community, and their commitment to the education of our youth. Mayor Evans and the Council asked all Citizens to join in this "*Observance*", which was received with a "*Round of Applause*" to acknowledge this Recognition! Mayor Evans presented said Proclamation to Members of the School Board, on behalf of "*School Board Member Recognition Month*".

2011 CHRISTMAS PARADE AWARD WINNERS

BUSINESS/NON-PROFIT

1ST PLACE, CERTIFICATE OF AWARD, SELMA VA OUTREACH CLINIC
2ND PLACE, CERTIFICATE OF AWARD, TINY TOTS DAY CARE CENTER
2ND PLACE, CERTIFICATE OF AWARD, GATEWAY BAPTIST CHURCH

BAND (COLLEGE AND HIGH SCHOOL LEVEL)

1ST PLACE, CERTIFICATE OF AWARD, CONCORDIA COLLEGE
2ND PLACE, CERTIFICATE OF AWARD, SOUTHSIDE HIGH SCHOOL

THEY WERE ALL CONGRATULATED, AND RECEIVED WITH A "ROUND OF APPLAUSE"!

RECOGNITION OF THE EPSILON RHO CHAPTER OF PHI BETA SIGMA FRATERNITY, CONCORDIA COLLEGE

FRATERNITY MEMBERS WERE CONGRATULATED, AND RECEIVED WITH A
"ROUND OF APPLAUSE"!

PRESENTATION OF TWO (2) CHECKS TO THE CITY OF SELMA -
\$760.00 - (TREE GRANT) OLD LIVE OAK CEMETERY, AND \$7,500.00 - RIVERFRONT PARK PROJECT
ON BEHALF OF THE ALABAMA POWER FOUNDATION AND ALABAMA POWER COMPANY,
PRESENTED BY MR. AUBREY CARTER, MANAGER OF THE ALABAMA POWER COMPANY.
MAYOR EVANS AND MS. CHARLOTTE GRIFFETH, ON BEHALF OF THE CITY OF SELMA,
THANKED MR. CARTER, ALABAMA POWER COMPANY AND THE ALABAMA POWER
FOUNDATION FOR THEIR GENEROUS DONATIONS!

INTRODUCTION OF MS. CONSTANCE REESE -
PRESENTATION ON THE "BOYS AND GIRLS CLUB OF AMERICA", NATION'S OLDEST AND
LARGEST ORGANIZATION WITH A PRIMARY MISSION OF SERVICE
TO YOUNG PEOPLE FROM DISADVANTAGED COMMUNITIES
- INTEREST IN CREATING A "BOYS AND GIRLS CLUB" IN THE CITY OF SELMA.
FOLLOWING THE PRESENTATION, MAYOR EVANS THANKED MS. REESE FOR HER INTEREST
AND DESIRE IN WORKING WITH THE CITY OF SELMA TO CREATE A "BOYS AND GIRLS" CLUB
IN SELMA, AND ALSO THANKED COUNCILMAN BOWIE FOR HIS VISION,
TO PUT THIS IN PLACE!

A. Monthly Financial Report - December, 2011. Mayor Evans stated to Council that they should have within their information a copy of the Monthly Financial Report for the Month of December, 2011, which was delivered to them on today. President Williamson stated as is indicated on the Report, we

can see an increase in our Sales Tax Revenue for the first three (3) months of this fiscal year, in the amount of \$155,000.00 compared to the three (3) months of the preceding year, which is fantastic! President Williamson stated he thinks that that is a cause to rejoice, and he wanted to thank the people for shopping in Selma. President Williamson further stated to have that kind of increase in these economic times, that speaks well of the Community. President Williamson also stated that the Lodging Tax is up by \$14,000.00, which means that people are still coming here, and that is encouraging, also. Mayor Evans stated he, too, wanted to thank all of the Citizens just as President Williamson has, for shopping in Selma, and for doing things to allow us to have additional revenue. Mayor Evans further stated that he is hoping that our next report will be even higher, because of the Christmas Holidays, and again, thanked everyone for shopping in Selma!

B. Police Report - December, 2011. Mayor Evans stated to Council that they should each have before them a copy of the Police Report, and that they were also given the Noise Statistics. Chief Riley was asked to come forward to address the Council in the event that they had any questions. During discussion, Chief Riley announced, as it relates to Red Light Camera Enforcement, that he had received "notice" that they are looking at another location; Marie Foster Street and Highland Avenue. Chief Riley further stated that they have not "zeroed" in on this location, as of yet, but that they had received "notice" that they are looking into moving into the next "phase" of the Red Light Camera Enforcement.

C. Code Enforcement Report - December, 2011. Mayor Evans stated to Council that they should each have before them a copy of the Code Enforcement Report. Mayor Evans further stated if there are any questions, Mr. Darryl Moore is here to answer those questions.

D. Mr. Rolando Williams - Pardon. Mayor Evans stated that this Item is being presented to them just for their information only.

E. Resolution #R139-11/12 - Award of Contract for the Jeff Davis Landfill Remediation to Smitherman Brothers Construction Company, Incorporated. Mayor Evans stated to Council that they should have before them Resolution #R139-11/12, Award of Contract for the Jeff Davis Landfill Remediation to Smitherman Brothers Construction Company, Incorporated. Mayor Evans asked that Ms. Charlotte Griffeth come forward to address the Council in the event the Council had questions. Mayor Evans stated that the bids were Let for the construction of Jeff Davis Landfill Remediation on January 3, 2012, and Smitherman Brothers Construction Company, Incorporated, was the lowest responsible bidder in the total amount of \$110,250.00 for the Base Bid. Mayor Evans stated that he had spoken with Ms. Sarah Sightler, of CDG Engineers this morning, and that she indicated due to the rain, that she is going to speak with A.D.E.M. and ask for an "Environmental Covenant" that will allow us to delay doing anything until May when the weather is better, and re-bid again in hopes that the bid amounts will come in lower. Mayor Evans stated at this time it is his recommendation to approve and award the Contract for the Jeff Davis Landfill Remediation to Smitherman Brothers Company, Incorporated, in the amount of \$110,250.00. Councilwoman Crenshaw stated to Mayor Evans that she needs to have a print-out, about what A.D.E.M. presented in terms of violations, and then she needs to understand that if we wait until May to do this, that there will not be any harm to the Citizens in terms of the gas that is over there. Mayor Evans stated that he will speak with Ms. Sightler, on behalf of the City of Selma, as it relates to whether or not A.D.E.M. is going to permit us to wait until May, and if not, we are going to have to move forward with this. Mayor Evans further stated it is his understanding that if the weather is good it only takes between 30 and 45 days to have that site done, but if the weather is bad, it can be prolonged. Mayor Evans stated to Councilwoman Crenshaw that he will get the information that she is requesting, and asked that she stop by his office this week or next week to pick it up. Councilwoman Crenshaw stated that she can do that, or he can place it in her box; that it doesn't matter. Mayor Evans stated to Councilwoman Crenshaw that he will let her know when it is ready. During discussion, a motion was made by Councilwoman Keith, and seconded by Councilman Tucker, to accept the Bid from Smitherman Brothers Construction Company, Incorporated, in the amount of \$110,250.00, but not Award the Contract for the Jeff Davis Landfill Remediation to Smitherman Brothers Construction Company, Incorporated, until we have heard back from A.D.E.M. in reference to approval for an "Environmental Covenant" for said Project; that if not approved, then we will move forward with this Bid, to be paid out of the Pension Plan. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present. During roll call, Councilwoman Crenshaw stated for the safety of the people in Wards 7 and 3, we actually do not know where we are with it right now, and her vote is yes.

F. Resolution #R146-11/12 - Award of Contract for the Marie Foster Culvert Replacement Project to Tri-County Construction Company, Incorporated. Mayor Evans stated to Council that they should have Resolution #R146-11/12, Award of Contract for the Marie Foster Culvert Replacement Project to Tri-County Construction Company, Incorporated. Mayor Evans stated that Mr. Ray Hogg is here, and asked that he come forward to address the Council in the event they had questions. Mr. Hogg addressed the Council and stated that we are replacing the Culvert that is under the street, widening the street, and installing the Guard Rails (Standard Guard Rails). Mr. Hogg further stated that Bids were received from Bidders for the Marie Foster Culvert Replacement Project, and that the lowest bid was received from Tri-County Construction, LLC, in the amount of \$66,366.00. During discussion, a motion was made by Councilwoman Benjamin, and seconded by Councilman Bowie, to approve Resolution #R146-11/12, Award of Contract for the Marie Foster Culvert Replacement Project to Tri-County Construction Company,

Incorporated, in the amount of \$66,366.00. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

G. Resolution #R140-11/12 - Authorization to Perform the Actuarial Study for GASB 45. Mayor Evans stated to Council that they should have before them Resolution #R140-11/12, Authorization to Perform the Actuarial Study for GASB 45. Mayor Evans further stated to Council if they recall, this has been brought before the Council in the past, as it relates to an Actuarial Study for GASB 45. Mayor Evans asked Ms. Cynthia Mitchell to come forward to address the Council in the event they have questions. Ms. Mitchell addressed the Council and stated that this is a State Law, and that every Two (2) years we have to recognize in our Financial Statements the long-term debt that is associated with post-Employee Benefits. Ms. Mitchell further stated that the City normally pays half for Employees under 55. Ms. Mitchell stated that Fontenot Benefits & Actuarial Consulting was the lower bidder, to perform the actuarial study for the GASB 45 Analysis for a cost of \$7,000.00, via the General Government, Other Professional Services Fund (1.6000 51005). During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Bjelke, to approve Resolution #R140-11/12, Authorization to Perform the Actuarial Study for GASB 45, in the amount of \$7,000.00, via the General Government, Other Professional Services Fund Account (1.6000 51005). A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

H. Resolution #R144-11/12 - Resolution to Declare an Emergency for the Phase I Construction of the Existing Riverfront Warehouse. Mayor Evans stated to Council that they should have before them Resolution #R144-11/12, Resolution to Declare an Emergency for the Phase I Construction I of the Existing Riverfront Warehouse. Mayor Evans asked that Ms. Charlotte Griffeth come forward to address the Council. Ms. Griffeth addressed the Council and stated that Resolution #R144-11/12 reflects what was mentioned to the Council during the last Council Meeting, as it relates to the condition of the building on the Riverfront. Ms. Griffeth further stated that there are pictures attached to this Resolution to give them an idea of what is going on down there. Ms. Griffeth stated that the roof is starting to collapse on the Lawrence Street side of the Building, and she is afraid after today's rain it probably will become even worse. Ms. Griffeth further stated that it is definitely a safety hazard, and is a liability for the City. During discussion, a motion was made by Councilwoman Keith, and seconded by Councilman Tucker, to approve Resolution #R144-11/12, Resolution to Declare an Emergency for the Phase I Construction of the Existing Riverfront Warehouse; further, authorizing the Mayor to proceed in bidding the renovation of the Riverfront Warehouse with an "Expedited Bid Opening". A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

I. Resolution #R145-11/12 - Authorization to Request Bids for the Replacement of Old Safety Railings on the Riverfront. Mayor Evans stated to Council that they should have before them Resolution #R145-11/12, Authorization to Request Bids for the Replacement of Old Safety Railings on the Riverfront. Mayor Evans further stated that there are some railings that were damaged along a hill overlooking the Riverfront, behind Grumbles Restaurant, that could possibly be dangerous, that they want to replace. Mayor Evans stated that there is also a bent wrought iron fence near the St. James Hotel, that needs to be repaired, and that they would also like to place a safety gate at the stairway, leading down to the Riverfront Park. Mayor Evans stated that this is being done for safety reasons. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve Resolution #R145-11/12, Authorization to Request Bids for the Replacement of Old Safety Railings on the Riverfront, via the H.U.D. Grant; Choice Neighborhood Grant. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

J. Resolution #R127-11/12 - #R138-11/12, Award of Contracts for Baseball Equipment, Baseball Uniforms, Softball Equipment, and Softball Uniforms' Bids. Mayor Evans stated to Council that they should have several items on the Agenda, as it relates to Bids for Baseball Equipment and Uniforms, and Softball Equipment and Uniforms. Mayor Evans asked Coach Reece to come forward to address the Council in the event the Council has questions. President Williamson stated that he would like to deal with all of these as One (1), and asked if there was any objection, or questions? With consent of the Council, a motion was made by Councilwoman Keith, and seconded by Councilman Bowie, to place Resolution Numbers #R127-11/12 - #R138-11/12, on Consent Agenda for consideration. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present. A motion was made by Councilman Atchison, and seconded by Councilman Tucker, to approve Resolution Numbers #R127-11/12 - #R138-11/12, Award of Contracts for Baseball Equipment, Baseball Uniforms, Softball Equipment, and Softball Uniforms. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

K. Selma Municipal Court Amnesty Program. Mayor Evans stated that he would like to announce that during the month of February, 2012, the Selma Municipal Court will be offering a one-time, good faith Amnesty Program to allow anyone who meets the requirements, an opportunity to pay their outstanding traffic tickets, without going to jail. Mayor Evans further stated that if anyone who has a warrant for their arrest on a traffic violation, that they will have the opportunity to take care of it, and not have to go to jail. Mayor Evans stated that the City of Selma recognizes that these are difficult economic times, and the

Amnesty Program will allow anyone who avails themselves to the Program, an opportunity to stay out of jail, not be charged any further penalties and/or fines, and clear up any outstanding traffic warrants against themselves. Mayor Evans stated that if they cannot pay the full amount owed to the City, that they may set up a payment plan through the Municipal Court, and that the warrant will be cancelled, and they will not have to go to jail. Mayor Evans stated people with serious traffic offenses, such as, reckless driving or driving under the influence will still have to appear in Court, as will those who want to contest a traffic ticket. Mayor Evans asked that anyone who has questions or need to see if they have an outstanding warrant, to contact the Municipal Court at 334/874-2135.

L. **Reverend Charles Lett - Personal Property Claim.** Mayor Evans stated that Rev. Charles A. Lett has a personal claim for which he, along with Mr. Tommy Smith, Public Works Director, and Attorney Nunn, have gone out to visit the site where this incident occurred. Mayor Evans further stated that upon visiting the site, it was evident that the barricade that was put up had fallen down, and Rev. Lett came through one evening, and ran over the barricade, and damaged his car. Mayor Evans stated that the Insurance Company has paid the damages, but he had a \$258.00 deductible, and he is asking that the City reimburse him for the amount he paid for this. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Keith, to approve payment of \$285.00 to Rev. Charles Lett, for the deductible he paid for repair of his vehicle. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

M. **Security Camera Locations.** Mayor Evans stated to Council that if they recall we talked about getting Seventy-Five (75) Cameras, and what they have before them is a list of possible locations of cameras. Mayor Evans further stated to Council that they may add to this list, or delete a listing, but that he is asking that they review this list, and get back to him by Friday, recommendations that the Council will consider for approval, or disapproval, and any additions that they would like to make. Mayor Evans stated that he would like to compile their recommendations, to make One (1) list to be brought back to the Council by the next Council Meeting, as possible locations for cameras in our City, and when they are to be installed. President Williamson asked the Council to review the list, and follow back up with Mayor Evans by Friday, if they can.

N. **Trash Trailer Locations for January and February, 2012.** Mayor Evans stated to Council that they should have before them a schedule for the Trash Trailer Locations for the Months of January and February, for Wards One - Eight.

O. **Update on SportsPlex Trash Removal and the Opening of the Selma Landfill.** Mayor Evans stated to Council that the SportsPlex has been cleaned out, and that all of the trash and limbs are gone, as of Friday of last week. Mayor Evans further stated that all we have to do now is the resurfacing that is required by A.D.E.M., and that our Public Works Department will be doing that. Mayor Evans stated that we are also working on securing that site.

P. **Congratulations to The Dance Studio, and to Margie's Dance Center, and Update on the BCS National Championship Viewing Party.** Mayor Evans stated that he would like to "Congratulate" the Dance Studio and Margie's Dance Center! Mayor Evans stated that we all saw it on T.V., and that he thinks that Councilwoman Keith was down there, also. Councilwoman Keith stated that she was, and that she "Greeted" the "Dancers" when they got to New Orleans, and when they were getting off of the bus, she was playing "Sweet Home Alabama". Mayor Evans stated that they looked Beautiful, and that during the next Council Meeting, we are going to invite them to our Council Meeting, to say "Thank You", and to let them know how proud we are of them! Mayor Evans thanked Councilwoman Keith for being there to help with that, and stated that Ms. Margie was excited about her being there. Mayor Evans also thanked Ms. Webster who was the "Contact Person", along with everyone else who volunteered to help with the Young People.

Q. **Update on "The Story of Bonnie and Clyde" to Film in the Selma Area.** Mayor Evans stated to Council that he got some "news" today and wanted to update the Council on the fact that a portion of the Movie, "The Story of Bonnie and Clyde" is going to be filmed in Selma, and we do appreciate that! Mayor Evans thanked the Council for everything that they did to make this happen.

R. **Update on The "Grand Opening" of the Selma Walton Theater.** Mayor Evans stated to Council that the Grand Opening of the Selma Walton Theater will be on Friday, January 13, 2012, at 7:00 p.m., and that the Movie that has just come out, "The Mission Impossible" will be shown. Mayor Evans further stated that the Movie will be shown at 4:00 p.m. on Friday, but the Grand Opening is scheduled for 7:00 p.m., and will also be shown on Saturday at 1:00 p.m. and 4:00 p.m. Mayor Evans stated that the Matinee Hour will be on Saturday Morning, at Ten O'clock. Mayor Evans stated that he is excited about seeing the Movie, "Mission Impossible", and that the new Screen is beautiful! Mayor Evans thanked Mr. and Mrs. Jackson and the Council for working so diligently to make this happen. Mayor Evans invited everyone to come out and see the Movie, "Mission Impossible", and stated he looks forward to seeing everyone there. Mayor Evans stated he also wanted to announce to everyone that starting on next weekend will be the Movie, "Red Tails", which is being released on next weekend, and will be shown here at our Theater in Selma that same weekend, for Two (2) weeks. Mayor Evans stated that everyone he has talked with about this Movie stated that it is an

awesome Movie, and, again, invited everyone to come out to see the Movie. Mayor Evans further stated that there are other Movies coming, and hopefully our Citizens will come out and enjoy. Mayor Evans stated that he is looking forward to the Movie, "Mission Impossible" that will be shown on this weekend, as well as, the one that will be shown on next weekend, "Red Tails".

S. **Reminder, and Announcements.** Mayor Evans stated he would like to announce, and advise the Council of the following:

- (1) *Gospel Rap Performance by Mr. Felix Barker, II - January 15, 2012 at 6:00 p.m. - Performing Arts Center - Free*
- (2) *City Offices will be closed Monday, January 16, 2012, in Observance of Dr. Martin Luther King, Jr. Day*
- (3) *Unity Breakfast - January 16, 2012 at 7:30 a.m. - Carl C. Morgan Convention Center*
- (4) *Dance Theatre of Harlem Ensemble - January 19, 2012, School of Discovery (Pickard Auditorium)*
- (5) *"State of the City" Address - January 30, 2012 - Carl C. Morgan Convention Center, 12 o'clock noon and at 5:30 p.m.*
- (6) *City-Wide Clean-Up Day - February, 2012 - TBA*
- (7) *Bridge Crossing Jubilee - March 1 - 5, 2012*
- (8) *AHSAA Track Meet - May 4 - 5, 2012*
- (9) *Mayors' Ball - April or May, 2012, Date TBA*
- (10) *Softball and Baseball Registration is Open - Memorial Stadium*

View the City of Selma Calendar at www.selma-al.gov and the Chamber of Commerce Calendar at www.selmaalabama.com for details and upcoming events.

CITY ATTORNEY'S REPORT

A. **Resolution #R141-11/12, Special Use Permit for Use of Wireless Telecommunications Facility at 4 Marina Drive; Resolution #R142-11/12, Special Use Permit for Use of Wireless Telecommunications at 2614 Citizens Parkway; and Resolution #R143-11/12, Special Use Permit for Use of Wireless Telecommunications at 212 Washington Street.** Attorney Nunn stated to Council that what they have before them is Resolution #R141-11/12, Special Use Permit for Use of Wireless Telecommunications Facility at 4 Marina Drive. Attorney Nunn further stated that T-Mobile has requested to modify an existing telecommunications tower at 4 Marina Drive, Selma, Alabama, to provide wireless services essentially within the Corporate Limits and Police Jurisdiction of the City of Selma. Attorney Nunn stated that Ms. Mignon Bowers and Mr. Andy Rotenstreich are present at tonight's Council Meeting, and he would like for them to come forward to address the Council in the event the Council has questions. Mr. Rotenstreich addressed the Council and stated that he was present on behalf of T-Mobile, and that T-Mobile already has antennae on all Three (3) of the Towers that are before the Council for discussion tonight. Mr. Rotenstreich further stated that all they are doing is pulling down old antennae, and putting up new antennae, to get the new service they have which is a 3-G Service to make sure it is enhanced, and that everything is working properly. Mr. Rotenstreich stated that the Internet is working through the T-Mobile phone. Attorney Nunn stated that Ms. Mignon Bowers is also present tonight, and that she is the City's Consultant, to make sure that they are in compliance with our Ordinance. Ms. Bowers addressed the Council and stated that she represents the City of Selma, as the City's Consultant for our Telecommunications Ordinance. Ms. Bowers further stated that Mr. Rotenstreich has given the Council information regarding the Three (3) Sites, and as the City's Consultant, CMS recommends that the City approve the Three (3) sites for construction; namely, 4 Marina Drive, 2614 Citizens Parkway, and 212 Washington Street. President Williamson stated to Attorney Nunn that we will take action on the Three (3) Resolutions separately, beginning with: (1) Resolution #R141-11-12, Special Use Permit for Use of Wireless Telecommunications Facility at 4 Marina Drive. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Tucker, to approve Resolution #R141-11/12, Special Use Permit for Use of Wireless Telecommunications Facility at 4 Marina Drive. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present; (2) Resolution #R142-11/12, Special Use Permit for Use of Wireless Facility at 2614 Citizens Parkway. A motion was made by Councilwoman Benjamin, and seconded by Councilman Bjelke, to approve Resolution #R142-11/12, Special Use Permit for Use of Wireless Telecommunications at 2614 Citizens Parkway. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present; and (3) Resolution #R143-

11/12, Special Use Permit for Use of Wireless Facility at 212 Washington Street. A motion was made by Councilman Bjelke, and seconded by Councilman Atchison, to approve Resolution #R143-11/12, Special Use Permit for Use of Wireless Facility at 212 Washington Street. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

B. ABC License Application - Sugar Shack - 1215 Alabama Avenue. Attorney Nunn stated to Council that they should before them an Alcoholic Beverage License Application as it relates to Sugar Shack, for a Lounge Retail Liquor - Class I License, which is located at 1215 Alabama Avenue. Attorney Nunn further stated that said Alcoholic Beverage License Application is up for 1st Reading tonight, and asked Council's consideration of the same. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Bowie, to place said Alcoholic Beverage License Application of Sugar Shack, on 1st Reading. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

C. ABC License Application - Z TEC 678 - 3766 U. S. Highway 80. Attorney Nunn stated to Council that they should before them an Alcoholic Beverage License Application as it relates to Z TEC 678, for a Retail Beer/Retail Table Wine (Off Premises Only) License, which is located at 3766 U. S. Highway 80, West; within the Police Jurisdiction. Attorney Nunn further stated that said Alcoholic Beverage License Application is up for 1st Reading tonight, and asked Council's consideration of the same. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to place said Alcoholic Beverage License Application of Z TEC 678, on 1st Reading. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

D. Election Update. Attorney Nunn stated to Council that if they desire to change the salaries of the Council Members and Mayor for the upcoming Election, that they will have to do so before February 28, 2012, via an Ordinance. Attorney Nunn further stated if there will not be a change in the salaries, then we do not have to do anything, and the salary remains the same for Elected Officials elected in the August 28, 2012 Municipal Election.

E. #O102-11/12 - Amendment to Business License Ordinance. Attorney Nunn stated to Council that they should have before them Ordinance #O102-11/12, Amendment to Business License Ordinance, under Chapter 16 Art. II Div. 1 of the City of Selma Code of Ordinances. Attorney Nunn further stated that we have dealt with this Ordinance on several occasions, in dealing with Clubs and Lounges within the City of Selma. Attorney Nunn stated that we do have an Ordinance on the Books that states if it is determined by the Council that a Business is operating in a manner that is detrimental to public health and welfare of Citizens of the City of Selma, then the Council has a right to revoke that Business License. Attorney Nunn stated that in this Ordinance, #O102-11/12, per the request of Councilwoman Benjamin, as well as, Chief of Police Riley, we are asking for a revision of the language from the "Expiration of Six (6) Months", so that it will state that whenever the Council shall Revoke the Business License of a Licensee, that no such License that has been Revoked shall be issued again to such Licensee until after the "Expiration of One (1) Year from the date of such Revocation", instead of a Six (6) Month Expiration. Attorney Nunn asked Council's consideration to place said Ordinance #O102-11/12, Amendment to Business License Ordinance, on 1st Reading. A motion was made by Councilman Atchison, and seconded by Councilwoman Benjamin, to approve Ordinance #O102-11/12, Amendment to Business License Ordinance. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

F. #O101-11/12 - Amendment to Cemetery Ordinance. Attorney Nunn stated to Council that they should have before them Ordinance #O101-11/12, Amendment to Cemetery Ordinance, under Chapter 7, Art. II Div. 1 of the City of Selma Code of Ordinances, as it relates to Cemeteries and Burials. Attorney Nunn further stated that we have several revisions, as requested by Mr. Michael Pettaway, Director of the Cemetery Department. Attorney Nunn asked that Mr. Pettaway address the Council in the event they had questions. Mr. Pettaway addressed the Council, and stated that what is being presented to them is what they have been doing all along as it relates to grave digging and cremating remains and interments, but that Ordinance #O101-11/12 gives the Cemetery Department guidelines and authority to do what needs to be done as it relates to burial of cremated remains of a deceased person. Attorney Nunn asked Council's consideration to place said Ordinance #O101-11/12, Amendment to Cemetery Ordinance, on 1st Reading. A motion was made by Councilman Atchison, and seconded by Councilwoman Crenshaw, to approve Ordinance #O101-11/12, Amendment to Cemetery Ordinance. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

G. 2709 Broad Street - Update of Claim Filed. Attorney Nunn stated to Council that if they recall, per the Council just prior to Christmas, it was the request of the Council that we proceed in obtaining an Inspector for the 2709 Broad Street Property, as it relates to flooding issues. Attorney Nunn further stated, per the request of Councilman Atchison, we did have the opportunity to speak with Mr. White of Prattville, as it relates to flooding issues of the above-referenced property, who did indicate that he would be available to do an inspection of said property. Attorney Nunn stated that he did advise that we contact him after January 1, 2012, as it relates to said inspection, and that hopefully by the next Council Meeting we will have had this home inspection completed, and then we will present that summary, or its results, back to the Council, and that is where we are standing now.

I. NOISE ORDINANCE

President Williamson stated that according to the Police Report, there were 21 complaints and 7 citations issued last month. President Williamson further stated that he hopes the situation with Noise is getting better in our City.

II. OLD Y.M.C.A. BUILDING

President Williamson asked Attorney Nunn when they talked this morning whether it was his understanding that he indicated to him that we had declared the Old Y.M.C.A. Building a Nuisance, but that they had asked for a Hearing, for which they had a right to, in reference to that matter? Attorney Nunn answered, and stated that that was correct; that on February 8, 2011, per the request of the Council, we drafted a letter to Mr. Tom Bolton and his Attorney, Mr. John Calame. Attorney Nunn further stated that the letter was notifying Mr. Bolton and Mr. Calame that the Building and the Structure were unsafe, and that it was a public nuisance and dangerous as defined within our Municipal Improvement Act. Attorney Nunn stated once that letter was drafted to them, they forwarded a response back to us on March 9, 2011, from Mr. Calame to the City of Selma, stated that they had received the letter from us, and further, requested an appeal to our decision Declaring the Building and Structure as a Public Nuisance. Attorney Nunn stated that the Historic Commission had already made a ruling stating that they did not want the Building torn down, and they did not give Mr. Bolton authorization to demolish the Building. Attorney Nunn further stated that our letter stated that he would need to address the stabilization of the structure. Attorney Nunn stated that the Hearing next week will be Mr. Bolton's appeal on the basis of why we feel the Building is a nuisance, and why we feel the Building needs to be stabilized. President Williamson stated to Attorney Nunn that we are going to have that Hearing on next Tuesday, January 17, 2012, at 3:00 p.m. Attorney Nunn stated that he would contact Mr. Tom Bolton and his Attorney Mr. John Calame, on tomorrow morning, and advise them of the hearing that has been set to take action on this matter. Attorney Nunn further stated that if he is not mistaken, there are Two (2) options; (1) stabilize; and (2) demolish. President Williamson asked Attorney Nunn to research this before Tuesday, to be sure about what our options are.

III. TEPPERS BUILDING

President Williamson asked Mayor Evans if he has heard anything new on the Teppers Building, other than what he had heard and reported at our last Council Meeting? Mayor Evans answered and stated that there has not been anything new since our last Council Meeting.

IV. COMMITTEES

President Williamson stated because the Discretionary Funds Report has been customarily given by a Member or President of the Council, and never been a Standing Committee, he removed it from under "Standing Committees" and placed it as a separate "Item" on the Agenda, and that on January 13, 2009, the Council adopted an Ordinance #106-08/09, concerning the Standing Committees of the Council. President Williamson further stated that this Ordinance governs most of the Standing Committees and Sub-Committees of the Council. President Williamson stated according to this Ordinance the Tree Commission is a part of the Community Development, Tax and License is under the Finance Committee, Main Street because it relates to Downtown Revitalization is under Public Buildings, and Public Buildings is a separate Standing Committee. President Williamson further stated that Recreation is under the Recreation Committee, and Cemetery and Tourism are under the Tourism Committee. President Williamson stated that the Ordinance also states that the Chairman of each Committee shall serve One (1) year after appointment by the Council President, which he has interpreted to mean that the Committee Chairman can be reappointed and serve a year after each time he or she is appointed; however, there is a difference of opinion about that. President Williamson further stated that he will ask the City Attorney to draw up an amendment clarifying that. President Williamson stated that he is asking that all of our printed material, as well as, the City and Council's WebSites reflect what Ordinance #106-08/09 mandates, and that this be noted in the Minutes of this Meeting. Councilwoman Crenshaw asked President Williamson what exactly are we trying to get clarity on? President Williamson answered, and stated that he has not talked with Ms. Smothers or anyone else about this, but apparently on our WebSite these Committees; such as, the Tree Commission, Tax and License, Main Street, Public Buildings and Cemetery are listed under some other place other than the Committee that the Ordinance states that they are supposed to be under, so he just wanted to bring what we published in the Ordinance in accordance with the Ordinance that we adopted.

V. WARD 4 BUTTERFLY AWARD

Councilwoman Benjamin stated that at the end of every year in December they celebrate Citizens in the Ward as it relates to their accomplishments, and acknowledge their work in Ward 4, in the City of Selma. Councilwoman Benjamin further stated that the most "sought out" Award in Ward 4 is the Butterfly Award, and if they did not know, Selma is the "Butterfly Capital" in Alabama, which is a Legislative Act. Councilwoman Benjamin stated that there are Two (2) Citizens who received the Butterfly Award in December, and they are in the audience today, and they would like to recognize them. Councilwoman

Benjamin stated that the *first* Butterfly Award goes to Ms. Letha Dillard, a Senior Citizen who works very hard in Ward 4, and if Council recalls, she is also the Citizen who came up with their first ever "Bible Bowl" in the Youth Conference. Councilwoman Benjamin asked that she come forward to be presented with the 2011 Butterfly Award. Councilwoman Benjamin stated that the *second* Butterfly Award goes to Ms. Maydone Rose of Ward 4, but came to Selma "by way" of Hurricane Katrina. Councilwoman Benjamin asked that she come forward, and be presented the 2011 Butterfly Award. Councilwoman Benjamin stated that she volunteers and works hard in Ward 4, and the City of Selma. Councilwoman Benjamin further stated that they would like to just say "Thank You" to the Recipients of the 2011 Butterfly Award, and that they appreciate all of what they do, and what they give to Ward 4, and the City of Selma. Ms. Dillard and Ms. Rose were both given the opportunity to address the Council, and they "thanked" the Council and Mayor Evans for recognizing them with the 2011 Ward 4 Butterfly Award.

VI. WARD 4 FOURTH ANNUAL BLACK HISTORY PROGRAM

Councilwoman Benjamin stated that the Ward 4 Fourth Annual Black History Program will be February 20 - February 21, 2012, and asked that everyone "mark" their calendars and note this.

VII. WARD 4 COMMUNITY DEVELOPMENT UPDATE FROM MAYOR EVANS

Councilwoman Benjamin stated to Mayor Evans that she is going to ask Ms. Temeka Sykes to get a copy of the document that he has from the President on the site that they are going to use. Councilwoman Benjamin further stated that there is also an Email that came down from the Young Lady that they have been talking to in Washington, and there are some things that are supposed to be done on our "end", and if he could update Ms. Sykes, so that we can know where we are, and that we are doing the things that need to be done as it relates to this.

VIII. CITY-OWNED PROPERTIES

Councilman Bjelke stated to Council if they recall, the City acquired some property on the corner of J. L. Chestnut, Jr. Boulevard and Tremont Street, and that Mayor Evans asked him to update the Council with recommendations. Councilman Bjelke further stated that Mr. Barber of Barber Realty manages the property now for a very minimal fee, and he would like to make the recommendation that this process continues for now. During discussion, a motion was made by Councilman Bjelke, and seconded by Councilwoman Benjamin, to proceed with Barber Realty managing said property located at J. L. Chestnut, Jr. Boulevard and Tremont Street. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

IX. GAS THEFT INVESTIGATION

Councilwoman Crenshaw asked Mayor Evans, do we have an update on the gas theft investigation? Mayor Evans answered, and stated that this is still an ongoing investigation. Mayor Evans further stated that there have been Five (5) arrests; One (1) of which was an Employee of ours who has been terminated for his involvement. Mayor Evans stated that this is still a work-in-Progress; that there is still an ongoing investigation of this, and that is where we are at this time. Mayor Evans stated once the investigation is complete, he will get with Chief Riley as to the findings, and will provide the Council with an update.

X. UPDATE ON CITY MARINA

President Williamson asked Councilman Atchison if he had an update on the City Marina? Councilman Atchison answered, and stated that he does not really have an update on the City Marina, but that he would like to continue to keep this on the Agenda. Coach Reece asked if he could address the Council with an update, and he was asked to come forward. Coach Reece addressed the Council and stated that he had spoken with Mr. Walter McKee, Project Manager, on yesterday, who stated that there is going to be a meeting sometime next week. Coach Reece further stated that Mr. McKee stated that he will be putting together a report, with recommendations. Coach Reece stated that he is hoping within the next few weeks we will get that information, so that they can provide an update to Mayor Evans and the Council.

XI. DISCRETIONARY

President Williamson stated that we did have some discretionary requests, and that they can follow-up with Ms. Sykes to see what was given by each Council Member.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Samuel Randolph, Chairman

President Williamson stated that Councilman Randolph is on active military duty right now, and wished him well.

ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman

No Report.

PUBLIC SAFETY COMMITTEE - Councilman Thomas Atchison, Chairman

No Report.

COMMUNITY DEVELOPMENT - Councilwoman Susan Keith, Chairman

Councilwoman Keith made a report.

PUBLIC WORKS/GENERAL SERVICES COMMITTEE - Councilman Greg Bjelke, Chairperson

Councilman Bjelke made a report.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

Councilwoman Benjamin made a report.

SELMA-DALLAS YOUTH AMBASSADORS - Councilwoman Bennie Ruth Crenshaw, Chairperson

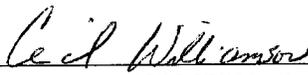
Councilwoman Crenshaw made a report.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

Following Closing Remarks by the Council Members, Mayor Evans addressed the Council and stated that a Gentleman from Crosspoint Church came by and visited him, and stated that God led him to come and express to him, that we Pray, as a City and County, between the hours of 10:00 a.m. and 11:00 a.m. on every Wednesday. Mayor Evans stated he would like to follow-up on that request, and asked that we Pray, as a City and County, between the hours of 10:00 a.m. and 11:00 a.m. every Wednesday. Mayor Evans asked that we all attempt to do this.

ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilwoman Keith, and seconded by Councilwoman Crenshaw, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 8:16 p.m.



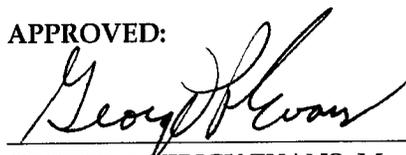
DR. CECIL WILLIAMSON, *Council President*

ATTEST:



IVY S. HARRISON, *City Clerk*

APPROVED:



GEORGE PATRICK EVANS, *Mayor*