

**MINUTES OF THE
SELMA CITY COUNCIL
AUGUST 9, 2011
12:00 NOON**

Call to Order

Invocation: Reverend Lee Goodwin, Associate Pastor
Second Missionary Baptist Church

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, August 9, 2011 at 12:00 Noon.

ROLL CALL

The following members were present during roll call: Council President Pro Tempore Corey Bowie and Council Members: Councilman Thomas Atchison, Councilwoman Angela Benjamin, Councilman Benny L. Tucker, 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 Samuel Randolph was absent during roll call, but arrived at 12:07 p.m. Council President Dr. Cecil Williamson was absent during roll call, but arrived at 12:10 p.m. Councilwoman Susan Keith was absent from the Council Meeting.

APPROVAL OF AGENDA

Council President Pro Tempore Bowie asked for the approval of the agenda items. A motion was made by Councilman Tucker, and seconded by Councilman Atchison, 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, Council President Pro Tempore Bowie asked for the approval of the minutes of July 26, 2011 regular meeting minutes. A motion was made by Councilman Tucker, and seconded by Councilman Atchison, to approve the minutes of July 26, 2011. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

CITIZEN'S REQUEST

Attorney Faya Rose Toure`

Re: "*Amelia Boynton Day*" - Renaming of Lapsley Street

Councilwoman Benjamin stated that we received a Note from the Mayor's Executive Assistant, Ms. Brenda Smothers, that Attorney Faya Rose Toure` would not be in attendance with us today but she is requesting that a *Group* from Tuskegee, if they are here, be recognized. Councilwoman Benjamin further stated that she also sent a copy of *Honoring a Centurion Hero, While She Lives*, for Mayor Evans, and all of the Council Members, which was written by herself (Attorney Faya Rose Toure`).

MAYOR'S REPORT

PRESENTATIONS AND PROCLAMATIONS

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

Proclamation - "Holy Month of Ramadan". Mayor Evans asked President Pro Tempore Bowie to come down, for the Presentation of the Proclamation, honoring the "*Holy Month of Ramadan*". Mayor Evans stated that Former State Representative Yusuf Salaam is here to accept the Proclamation, and asked that he come forward to accept the Proclamation. Mayor Evans read the Proclamation in its entirety, and asked the Council and Citizens to join him in Recognizing, Honoring and Proclaiming *August 2 through August 31, 2011*, as "*Observance of the Holy Month of Ramadan*" in the City of Selma, and asked that we reaffirm the "brotherly" connection of the Three (3) Abrahamic Faiths. Former State Representative Salaam thanked Mayor Evans and all of the Members of the Selma City Council, along with City Government, for this opportunity and honor. Mayor Evans asked the Council and all Citizens to join in this "*Observance*", which was received with a "*Round of Applause*" to acknowledge this Honor and Recognition!

Proclamation - "Amelia (Platts) Boynton Robinson Day". Mayor Evans asked the Council and Citizens of Selma to join him in recognizing and honoring Mrs. Amelia (Platts) Boynton Robinson for her dedication to public service and her work as an integral part of the American Civil Rights Movement. Mayor Evans stated, to celebrate her 100th Birthday, and Honor the lifelong commitment of Mrs. Amelia (Platts) Boynton Robinson to uphold the Human Rights, and Civil Rights of People Across the United States and Around the World, the City of Selma Proclaims August 18, 2011, as "*Amelia Boynton Robinson Day*" in the City of Selma, and urged all Citizens to Honor her role in the Civil Rights Movement, and her lifelong commitment to upholding the Human and Civil Rights of People in Selma, Across the Nation, and Around the World. Mayor Evans asked the Council and all Citizens to join in this "*Tribute*", which was received with a "*Round of Applause*" to acknowledge this Honor!

PRESENTATION - Let's Move! Selma Initiative. Mayor Evans stated to Council that during the National League of Municipalities' Convention in March of this year, he did attend a Workshop which addressed Childhood Obesity in the United States; Mississippi ranked the largest State with Obesity, and Alabama ranked the second largest State with Obesity. Mayor Evans further stated that First Lady Michelle Obama launched a Nationwide Initiative, "Let's Move Cities and Towns", to combat the ever increasing size of America's Waistline: The goal is simple; raise a healthier child today, so that in adulthood he or she has the discipline and knowledge to eat healthy, and live actively. Mayor Evans stated that at that point he signed up for the City of Selma to be a part of that Program, to get our City involved with combating obesity. Mayor Evans stated he has asked a "Young Lady" to 'Chair' this Program, whom he has a lot of confidence in, to do a good job with this, our own First Lady Jeannie Evans. Mayor Evans asked Mrs. Evans to come forward and address the Council with an Overview, of the Let's Move! Selma, Initiative Program. Mrs. Evans addressed the Council and stated that she is here to promote this Initiative, started by First Lady Michelle Obama, for our entire Nation. Mrs. Evans further stated that childhood obesity ranks in the "Top Ten" of diseases that children have; such as, diabetes, hypertension, and that some of our children even have high cholesterol. Mrs. Evans further stated that this is occurring all over the Nation. Mrs. Evans further stated, as was already mentioned, Alabama ranks Number Two with Childhood Obesity, and we are trying to combat this disease here in Selma, Alabama, by starting this Initiative that is called, "Let's Move! Selma", and it is going to bring up a generation of Children that will be healthy Children for the next generation. Mrs. Evans stated that we want Children, Parents, Grandparents, Council Members, Schools, Civic Groups and Social Organizations, Churches, Sororities, Fraternities, Community Leaders, Business Leaders, Health Care Providers, and Everybody to come out and be a part of this Initiative. Mrs. Evans stated Ms. Brenda (B.J.) Smothers, Ms. Charlotte Griffeth, along with herself, have sent out information, along with letters, with regard to the start of this Initiative, which is going to make a difference with our Children in this City. Mrs. Evans invited everyone to be a part of the "Let's Move! Selma" Initiative, to make healthier living a reality, and asked us to join them on August 25, 2011, at 5:00 p.m., at the Phoenix Park, which is across from the St. James Hotel, to do a large Kick-Off, "Let's Move! Selma". Mrs. Evans stated if there is anyone who would like to be a part of this, that they would like for you to join, and be a part of this. Mrs. Evans further stated that they have some people who have already signed on, but they do not have enough, and would like to ask everybody to consider being a part of this Initiative. Mrs. Evans asked the Council and Citizens to join them for this Kick-Off, and stated that she appreciates any help that they can get with this Initiative. President Williamson stated to Council President Pro Tempore Bowie, that he has a Resolution that Councilwoman Keith and Councilwoman Benjamin prepared, and asked him to present to the Council at this time. President Williamson read said Resolution, "Let's Move!" in its entirety, which states that the City Council of the City of Selma endorse and support said efforts to make Selma's Children more active and healthier. A motion was made by President Williamson, and seconded by Councilwoman Benjamin, to adopt the "Let's Move!" Resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

Mayor Evans thanked the Council very much for the above Resolution, stating that it is certainly a move that is critical for all young people.

Mayor Evans recognized and offered *Condolences* to Councilman Samuel Randolph and his Family, in the Loss of their Father, Mr. Sam Randolph, who was Funeralized on this past Saturday, August 6th. We will continue to be in Prayer for Councilman Randolph and his Family in their Hour of Bereavement.

A. Monthly Financial Report - July, 2011. Mayor Evans stated to Council that they should have within their information a copy of the Monthly Financial Report for the Month of July, 2011, which reflects that in this last month we had a gain of \$54,916.01 in sales taxes. Mayor Evans stated to Council that this information is being provided to them for their review, and for any questions that they may have, as well. President Pro Tempore Bowie thanked Mayor Evans for making all of this information available to them for their review.

B. Police Department Report - July, 2011. Mayor Evans stated to Council that they should each have before them a copy of the Police Report, which reflects the incidents by Wards. Mayor Evans further stated that said Report gives the Noise Statistics. Mayor Evans stated that Chief Riley is here to answer any questions that they may have.

C. Convention Center Air Conditioner Repairs. Mayor Evans stated to Council that if they recall he mentioned to them that the Air Conditioner at the Convention Center is a real problem. Mayor Evans further stated that they should have before them a copy of a proposal from Dallas Air Conditioning & Heating, Incorporated, and that he is asking the Council to approve the recommendation for the Air Conditioner to be repaired in the sum amount of \$35,690.00, via the interest recently received in refinancing our Pension Plan. A motion was made by Councilman Randolph, and seconded by Councilman Tucker, to approve the Repair of the Air Conditioner at the Convention Center, in the amount of \$35,690.00. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

D. Resolution #R257-10/11 - Authorization to Apply for a Hazard Mitigation Grant for Community Safe Rooms. Mayor Evans stated to Council that they should have before them Resolution #R257-10/11, Authorization to Apply for a Hazard Mitigation Grant for Community Safe Rooms; if funded, the Grant will pay 75% of the total cost or \$675,000.00, and the City of Selma will be responsible for providing 25% or \$225,000.00 in in-kind or cash contributions for each Safe Room. Further, the City of Selma has selected Goodwyn Mills and Cawood, Incorporated to provide preliminary architectural and engineering services necessary for the grant application, and the City of Selma has selected Grant Management, LLC, to prepare and submit the Grant Application. Mayor Evans asked Chief Stokes to come forward to answer any questions that the Council may have. During discussion a motion was made by Councilman Atchison, and seconded by Councilman Tucker, to approve Resolution #R257-10/11, Authorization to Apply for a Hazard Mitigation Grant to A.E.M.A. for Community Safe Rooms (Storm Shelters). **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

E. Resolution #R258-10/11 - Authorization to Hire an Engineering Firm for the Water Avenue Resurfacing and Brick Paving of Entrance to Riverfront Park. Mayor Evans stated to Council that they should have before them Resolution #R258-10/11, Authorization to Hire Hogg Engineering Firm for Professional Services, for the Water Avenue Resurfacing and Brick Paving of Entrance to Riverfront Park. Mayor Evans asked Ms. Charlotte Griffeth to come forward and address the Council as it relates to Resolution #R258-10/11. Mayor Evans stated to Council that if they recall this Item was discussed during the last Council Meeting, as it relates to part of the Streetscape Project which encompasses the first two blocks on Water Avenue, from Broad Street to Washington Street, and the pavement for that part from Franklin Street to Martin Luther King, Jr. Street, near the Old Depot Museum. Mayor Evans further stated to Council that they have before them a Resolution; namely, Resolution #R258-10/11, Authorization to Hire Hogg Engineering Firm for the Water Avenue Resurfacing and Brick Paving of Entrance to Riverfront Park, in the amount of \$24,750.00, to perform the Professional Engineering Services. Mayor Evans asked Council's consideration and approval of Resolution #R258-10/11. During discussion, a motion was made by Councilman Tucker, and seconded by Councilman Randolph, to approve Resolution #R258-10/11, Authorization to Hire Hogg Engineering Firm for the Water Avenue Resurfacing and Brick Paving of Entrance to Riverfront Park, for Professional Engineering Services, in the amount of \$24,750.00, via the Municipal Gas Tax Fund. **A roll call vote was taken and the motion passed with a majority vote of the Council Members present. There were seven affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote.**

Councilwoman Crenshaw asked Mayor Evans for a list of Engineering Fees for all of the Bond Projects. Mayor Evans asked Councilwoman Crenshaw to provide him with a written list, for clarification, of what she is requesting, so that he can get the information she is requesting for her.

F. Reminder, and Announcements. Mayor Evans stated he would like to announce, and remind Citizens and the Council of the following:

(1) *SEEDCO Small Business Access to Capital Summit -Wednesday, August 10th at 7:30 a.m. - 8:45 a.m. (Tomorrow) - St. James Hotel - Mayor encouraged everyone to attend!*

(2) *White House Rural Roundtable and the Delta Regional Authority presents "Selma Rural Council Listening Forum" on Thursday, August 18th - 1:30 p.m. - 3:30 p.m. - Carl Morgan Convention Center (Hosted by Chris Masingill, Federal Co-Chairman, DRA and Ronnie Davis, State Director, USDA Rural Development) - Mayor encouraged everyone to attend!*

A. **Resolution #R256-10/11 - Weed Abatement (Phase II)**. Attorney Nunn stated to Council that they should have before them Resolution #R256-10/11, Weed Abatement (Phase II), as it relates to Authority to Abate and Remove Weeds Declared as a Public Nuisance, which reflects approximately Twelve (12) Properties, along with the listing of the Ward. Attorney Nunn further stated Certified Letters have been forwarded to the Property Owners, and they have failed to eradicate the problem by cutting the grass and/or weeds. Attorney Nunn stated at this point and time Resolution #R256-10/11 gives the Code Enforcement Officer authorization to direct the Public Works Department, or a reputable private contractor providing the lowest responsible quote to abate and remove the weeds and/or overgrown grass from the properties listed herein in Resolution #R256-10/11. Attorney Nunn asked Council's consideration of the same. A motion was made by Councilman Atchison, and seconded by Councilman Tucker, to approve Resolution #R256-10/11, Weed Abatement (Phase II). A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

B. **Weed Abatement Procedure**. Attorney Nunn stated to Council that the City of Decatur parallels with the State Law as it relates to the repeated cutting and maintenance of the grass and/or weeds. Attorney Nunn further stated that in the Act and the State Code, the Municipality gives the property owner 14 days and no more than 28 days to complete the abatement of the nuisance. Attorney Nunn stated that we also checked with the City of Anniston which parallels with State Law, and the City adopted the local Act via an Ordinance which allows the property owner 15 days to abate the nuisance. Attorney Nunn stated that the Ordinance is parallel with the Act except the Ordinance included an additional Section, to explain the same. Attorney Nunn further stated that ours is parallel with the State Law, but it will be left up to the Council as to whether or not they want to amend the Ordinance to reflect the same, and add the "repeated maintenance" in the Ordinance. During discussion, Council Pro Tempore Bowie stated that he is placing this Item with Councilman Randolph, as the Public Works/General Services Chairman, and requested that he and the Committee work along with Attorney Nunn, as to an Amendment to be brought back before the Council for consideration and review at the next Council Meeting.

C. **Historic Commission Appeal Process**. Attorney Nunn stated to Council that everyone should have a copy of a letter as it relates to the Ordinance that we already have in place with regard to the Historic Commission Appeal Process to the Circuit Court, if there is a denial by the Historic Commission. Attorney Nunn further stated our Ordinance as it states now, is parallel with the State Law.

D. **Redistricting - Update**. Attorney Nunn stated to Council that if they recall we did state that we had talked with the Redistricting Office in Montgomery, and that they had said that they would be sending us some information concerning the population within each Ward. Attorney Nunn further stated to Council that they should have received a copy of the same within their packet of information. Attorney Nunn stated that there should only be a Deviation of approximately plus or minus 5%. Attorney Nunn further stated as can be seen from the information received, they will see that Wards 1, 7 and 8 are within that 5%, but Wards 2, 3, 4, 5, and 6 reflect a Deviation. Attorney Nunn stated it appears the range is somewhere between 125 and 130, at which the Ward should be at, and that he feels that all of the Wards may be affected. During discussion, Attorney Nunn stated that all of the Council may have to go up and attend this Meeting, instead of the Council Members earlier thought to be affected, so in consideration of what date to schedule for the Montgomery trip, he thinks that they should make a date considering all of the Council Members. President Williamson stated that after August 15th, the Council would set a date for most Council Members, and go from there, because they will probably have to make more than one trip.

E. **Livestock Within the City of Selma**. Attorney Nunn stated to Council that Wards 6, 7 and 8 have Livestock within the Wards, and he does not see how a horse can be kept within a City without it creating a Nuisance. Attorney Nunn further stated that we do need to go back and review the Livestock Ordinance that was drafted and presented to the Council for review, somewhere around 2006 or 2007. Attorney Nunn stated that we need to adhere to what we already have in place in our Code Book, but if there are horses within the City, it is his opinion that they need to move them outside of the City Limits.

F. **Hearing to Consider Revocation of a Business License**. Attorney Nunn stated we did have a Public Hearing scheduled to Consider Revocation of a Business License today at 2:00 p.m., but we received a call from Attorney Wooten's Law Firm as it relates to being retained as Counsel in this matter, and representation of Mr. Carvin Thomas, Owner of 12th Stone. Attorney Nunn further stated that Attorney Wooten is requesting a continuance of this Hearing until the next Council Meeting, to allow time to represent Mr. Thomas in this matter. Attorney Nunn stated that he talked with Mayor Evans, President Williamson, and Chief Riley, and they had no objections as it relates to continuing this Hearing to the next Council Meeting. Attorney Nunn further stated that he did not have any objections either, and he is hoping that the Council does not have any objections, and that he did inform Attorney Wooten that it would be okay to continue the Hearing over until the next Council Meeting. Attorney Nunn stated that the only question that comes up has to do with the time we schedule the Hearing for. During discussion, it was the consensus of the Council to have the Public Hearing at 4:00 p.m., and the Council Meeting to begin at 5:00 p.m. thereafter.

I. NOISE ORDINANCE

This Item was covered during the Mayor's Report.

II. RED LIGHT CAMERAS

President Williamson asked if there would be more Red Light Cameras going up? Mayor Evans answered and stated that there will be more placed; another one is scheduled to be placed on Franklin Street real soon; one is scheduled to be placed on Broad Street and L. L. Anderson Avenue; and then to Dallas Avenue and Hooper Drive. President Williamson asked if the question concerning whether or not we could place one on Broad Street was ever resolved? Attorney Nunn answered and stated that that question was resolved. Mayor Evans stated that he will find out the exact dates that the others will be installed and bring back to the Council an update.

III. REVISITING WEED ABATEMENT PROCESS

This Item was covered during the City Attorney's Report.

IV. SOUTH CENTRAL ALABAMA BROADBAND COMMISSION

President Pro Tempore Bowie stated that Councilwoman Keith is not here, and this Item was Continued.

V. REDISTRICTING

This Item was covered during the City Attorney's Report.

VI. PUBLIC HEARING: 2:00 P.M.

This Item has been rescheduled to Tuesday, August 26th at 4:00 p.m., Council Chambers.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Benny Tucker, Chairman

No Report.

ADMINISTRATIVE COMMITTEE - Councilwoman Angela Benjamin, Chairman

No Report.

PUBLIC SAFETY COMMITTEE - Councilman Corey Bowie, Chairman

No Report.

COMMUNITY DEVELOPMENT - Councilwoman Susan Keith, Chairman

Councilwoman Keith was absent from the Council Meeting.

PUBLIC WORKS/GENERAL SERVICES COMMITTEE - Councilman Samuel Randolph, Chairperson

No Report.

DISCRETIONARY COMMITTEE - President Cecil Williamson, Chairperson

President Pro Tempore Bowie stated that there are no discretionary fund requests.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

Councilwoman Benjamin made a report.

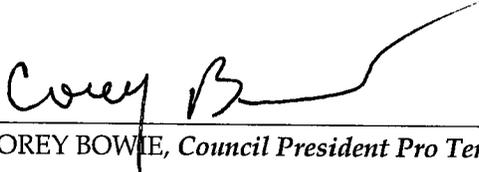
SELMA-DALLAS YOUTH AMBASSADORS - Councilwoman Bennie Ruth Crenshaw, Chairperson

Councilwoman Crenshaw made a report.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

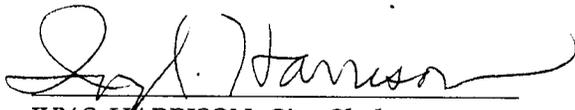
ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Randolph, to adjourn this meeting, and by unanimous consent of the Council, this meeting adjourned at 1:57 p.m.



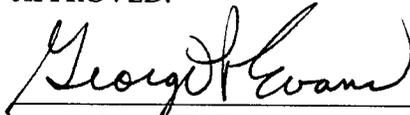
COREY BOWIE, *Council President Pro Tempore*

ATTEST:



IVY S. HARRISON, *City Clerk*

APPROVED:



GEORGE PATRICK EVANS, *Mayor*