

**MINUTES OF THE
SELMA CITY COUNCIL
DECEMBER 13, 2011
5:00 P.M.**

Call to Order

Invocation: Pastor W. Channing Jackson,
Greater Kingdom Citadel

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, December 13, 2011 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, Councilman Samuel Randolph, 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 Ms. Cynthia Mitchell, and the Mayor's Executive Assistant, Ms. Brenda Smothers. Councilman Benny L. Tucker was absent from the Council Meeting.

APPROVAL OF AGENDA

President Williamson asked for the approval of the agenda items. A motion was made by Councilwoman Benjamin, and seconded by Councilwoman Keith 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 November 15, 2011 Regular Meeting Minutes, which said Meeting was rescheduled from November 8, 2011. A motion was made by Councilman Bowie, and seconded by Councilman Atchison, to approve the Minutes of November 15, 2011 Regular Meeting Minutes. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.** A motion was then made by Councilman Atchison, and seconded by Councilman Bjelke, to approve the minutes of November 22, 2011 Regular Meeting Minutes. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

CITIZENS' REQUESTS

Ms. Nancy Ziccardi/Mr. Bailey Dawson
Tri-County School of Applied Music

Re: Waiver of Building Usage Fee (*Performing Arts Center*)

A motion was made by Councilwoman Keith, and seconded by Councilwoman Benjamin, to approve waiving the fee for the use of the Performing Arts Center, for a Musical Concert to be held on Tuesday, December 20, 2011. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

Tameka Peoples-Towner/Ms. Roxanne Jones
Cathedral Academy High
Re: Requesting Funds

PUBLIC COMMENTS ON REDISTRICTING

No one was present to make public comments.

SPECIAL PRESENTATION

Resolution - "Honoring Ms. Elise Faircloth Blackwell". Councilwoman Keith stated she would like to present a Resolution to Ms. Elise Faircloth Blackwell, in honor of Preservation and Promotion of Selma, Alabama. Councilwoman Keith, on behalf of herself and the Council, read the Resolution in its entirety, and

asked that Mayor Evans and the Citizens join them in *Honoring Ms. Elise Faircloth Blackwell* with this Resolution. Ms. Blackwell served as one of the initial Riverfront Market Members, and has been involved in planning and implementation efforts, too numerous to name, in the revitalization of Water Avenue. Ms. Blackwell was among the very driving forces for the restoration of the Historic St. James Hotel. Ms. Blackwell has served, and presently serves, on the Selma, Dallas County Historic Preservation Commission. Ms. Blackwell served for many years in the City of Selma, Office of Community Development. Ms. Blackwell served as one of the initial "Organizers" of the City of Selma's Holiday House. The City Council commends Ms. Elise Faircloth Blackwell for her good works and for promoting Selma as a City where History lives! Ms. Blackwell was given a "Round of Applause" to acknowledge this Recognition and Honor!

Mayor Evans stated to Ms. Elise Blackwell that he would like to commend her as well, on behalf of the work that she has done, and will be getting a plaque to her, on behalf of the Mayor and Office of Planning and Development. Mayor Evans further stated to her that she worked so diligently and faithfully with Mrs. Elizabeth Driggers over the years, and we do appreciate that very much. Mayor Evans stated to Ms. Blackwell that he will follow-up with an appropriate acknowledgement at a later date.

**SPECIAL THANKS AND APPRECIATION
FROM MRS. DEBORAH SPICER, ON BEHALF OF MRS. LAURINE PETTWAY AND THE
COMMUNITY OUTREACH MISSIONARY ORGANIZATION,
FOR THE SUPPORT RECEIVED FROM MAYOR EVANS AND THE CITY COUNCIL
FOR THE SENIOR CITIZENS' BANQUET, HELD ON DECEMBER 3, 2011**

MAYOR'S REPORT

PRESENTATIONS, RECOGNITIONS AND RESOLUTIONS

PRESENTATION OF "RETIREMENT PLAQUE" TO:

**MR. BILLY JACKSON
CITY PUBLIC WORKS DEPARTMENT
IN APPRECIATION OF 29 YEARS OF SERVICE, JUNE 21, 1982 -DECEMBER 1, 2011**

**BEST WISHES FOR A LONG AND HAPPY RETIREMENT WAS EXTENDED TO MR. BILLY JACKSON,
ON BEHALF OF MAYOR GEORGE PATRICK EVANS, THE SELMA CITY COUNCIL,
CITY GOVERNMENT, AND THE CITY OF SELMA, ALABAMA!**

PRESENTATION OF LONGEVITY CERTIFICATES AND PINS

Mayor Evans stated he would like to present a Certificate of Service and Longevity Pin in recognition of the following employees: Police Officer Harry Tubbs, Selma Police Department, *Ten Years of Service* to the City of Selma and Mr. Arthur Culpepper, Public Works Department, *Ten Years of Service* to the City of Selma. Mayor Evans stated he would like to thank them for their Years of Dedicated Service to the City of Selma, and they were presented, and given a Longevity Pin. President Williamson stated, on behalf of the Council, that they certainly appreciate all of what they do for the City of Selma.

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

Resolution - "Honoring the Life of Mr. Robert "Bob" Mants, Jr."

Mayor Evans stated to Council that he would like to recognize in Memory, a Resolution, "*Honoring the Life of Mr. Robert "Bob" Mants, Jr."* Mayor Evans, on behalf of himself and the Council, read the Resolution in its entirety, and asked the Citizens to join them in *Honoring the Life of Mr. Robert "Bob" Mants, Jr.* with this Resolution, acknowledging the services that Mr. Mants gave to our City, State and Country, and who actually played a big role in the Civil Rights Movement. Mayor Evans further stated that Mr. Mants passed away last week, and we just want to give recognition to the trials and tribulations, as well as, the struggles he went through to make sure that all of us had a right to vote, and to do many other things that were necessary to do as Human Beings. Mr. Mants ("Bob") was born on April 25, 1943 in Atlanta, Georgia, and died on December 7, 2011, at the age of 68. Bob, after graduating from South Fulton High School in East Point, Georgia in 1961, attended Morehouse College, where he studied Psychology and Sociology. His studies at Morehouse were interrupted by his activities in the Civil Rights Movement, but in 1974, he received a B.A. Degree in Rural Community Development and Organization, from Goddard College in Plainfield, Vermont. In June 1963, Bob became a "Field Organizer and Project Director" for the Student Non-Violent Coordinating Committee (SNCC) first in Southwest Georgia, and then in Lowndes County, Alabama, where, on the "Eve" of the Selma-to-Montgomery March, "not one Black Resident was registered to vote". On March 7, 1965, Bob was photographed in some of the most "iconic images" of the Civil Rights Movement, standing behind John Lewis and Hosea Williams, and alongside Albert Turner, as they led Marchers across the Edmund Pettus Bridge on "Bloody Sunday". In 1966, as a Project Director for SNCC, Bob helped to "Found" the Lowndes County Freedom Organization. In the Late 1960's through the 1970's, he continued Voter Registration and

Community Organization Activities in Alabama, Mississippi, Arkansas and Georgia, with the Southern Rural Project, Mississippi Action for Community Education, Friends of Children of Mississippi, the Georgia Voter Education Project, and the Southwest Georgia Project for Community Education, among many other organizations. Mr. Bob Mants served on the Lowndes County Commission, as Executive Director for the Lowndes Development Corporation, and as a Farm Management Specialist at Tuskegee University. He also served as President of the Selma-to-Montgomery National Historic Trail Association, and "Chair" of the Lowndes County Friends of the Trail. Mayor Evans, the City Council, and the Citizens of Selma, Alabama extend our Deepest Sympathy to the Family of Mr. Robert "Bob" Mants, Jr., and present a copy of this Resolution to his Family as an Expression of the High Regard in which his Memory is held by the Mayor, City Council, and the Citizens of the Selma, Alabama.

A. Monthly Financial Report - November, 2011. Mayor Evans stated to Council that they should have within their information a copy of the Monthly Financial Report for the Month of November, 2011. 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 Williamson stated to Mayor Evans that he thinks that it is encouraging that our Sales Tax Revenues were up by \$65,071.38 this Fiscal Year compared to last year, and that the significance to that is, that we need to let the community know that when we made our Budget we actually projected a \$200,000.00 increase in Sales Tax this year, which was really made in "faith". President Williamson stated that we thank people for shopping in Selma, and helping with that. Mayor Evans stated that that is so critical and important; that three-fourth percent (3/4%) of our money comes from Sales Tax, and that we do appreciate people shopping in Selma.

B. Police Department Report - November, 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 present in the event the Council has any questions.

C. Code Enforcement Report - November, 2011. Mayor Evans stated to Council that they should each have before them a copy of the Code Enforcement Report, which reflects all of the Citations for the Month of November, 2011. Mayor Evans further stated that the Report also reflects the overgrown lots by Wards, abandoned vehicles, dilapidated properties which have been identified, as well as, properties that have been approved to be cut and cleared by the Public Works Department. Mayor Evans asked Mr. Darryl Moore, Code Enforcement Officer, to come forward and address the Council with questions that they had.

D. Update on Community Safe Room (Shelter) Project. Mayor Evans stated to Council that if they recall he brought the topic of shelters for our City before them, during previous Council Meetings, and we selected Three (3) Sites; one in Ward 8, one near Selma High School, and one behind Meadowview Elementary School. Mayor Evans further stated that the ones that he asked the Council to consider were the larger ones because they were ideal for the Wards and in the communities, to have meetings, when there were no tornadoes. Mayor Evans stated since that time we have found out that they are not going to allocate that much money, that the grant is going to cost about 3 million dollars to get these Three (3) for each Ward. Mayor Evans further stated that they are asking us to consider going to a small version, and that we will get about \$900,000.00 total for Three (3) of them, and the rest would have to come from us. Mayor Evans stated we would need to take a vote to take the small version, with the hope that other funding comes, then we can actually do the larger ones, but right now based on the Grant, these are the ones that they are proposing that we get; just as the County is getting, and the City of Valley Grande is getting. Mayor Evans stated it is his recommendation that they move forward with getting the smaller shelters, with the hope that as funds come available, we could in fact move on to the larger ones. During discussion, a motion was made by Councilwoman Keith, and seconded by Councilman Bowie, to accept the recommendation of the Mayor for the smaller shelter. An amended motion was made by Councilwoman Crenshaw, to state that this action is being taken with the understanding that there will not be any financial ties to it at all, and President Williamson stated that before we commit any money it will have to come back to the Council. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

E. Movie Theater Contract. Mayor Evans stated to Council that they discussed the Movie Theater Contract and what would be involved in outsourcing that particular operation. Mayor Evans further stated that said Movie Theater Contract has been written by our City Attorney, and reviewed by Mr. and Mrs. Jackson, as well as, by himself. Mayor Evans further stated that each of them should have received a copy for their review, so that they can move forward with this. Mayor Evans stated that he is hopeful that we can run our first movie during the last week in this month; if not, it will be the second week in January. Mayor Evans further stated that what is happening right now is that the screen is being installed which weighs approximately 1000 pounds, and that all of the other equipment is in. Mayor Evans stated it is our plan to have something where we can invite all of our Employees first, to be first to watch a movie during a "Grand Opening", and then following that, we will have our first opening for the public. Mayor Evans asked Council's consideration to approve the Movie Theater Contract. During discussion, Mayor Evans stated that Mrs. Sharon Jackson is present at our Council Meeting tonight, and asked that she come forward to answer

any questions that the Council may have. Mrs. Jackson addressed the Council and stated that the screen has been "on scene" for Two (2) weeks, and that they have been working with Two (2) things; one, the Performing Arts Center has been "booked" for a lot of holiday activities; so, they have worked around that schedule. Mrs. Jackson further stated that they had to have someone to come in and structurally design the support structure, in order to hang the screen. Mrs. Jackson stated that they worked on that yesterday, again today, and she thinks that they will actually be finished on tomorrow with the support structure. Mrs. Jackson stated that the Film Installers will be here on Thursday, and then they will actually hang the screen. Mrs. Jackson stated that until they come next week with the Projection Equipment and with the Sound Equipment, they have just not felt comfortable guaranteeing the movie showing on December 29th; however, January 13th is their secondary date, and there's no doubt that they will be able to open and have their Grand Opening by then. During discussion, a motion was made by Councilman Atchison, and seconded by Councilman Bjelke, to approve the Movie Theater Lease Agreement and Contract. 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. During roll call, Councilwoman Crenshaw stated, that she is sorry to say, but that she has not had the opportunity to read the Thirteen (13) Pages of the Lease Agreement, and that she is really just looking at it; her vote will be no. Mayor Evans stated, for the record, if in fact Police Officers are needed for various activities at the Performing Arts Center, that it is already in the Movie Theater Contract that they will contract with the Police Officers for that.

F. Resolution #R118-11/12 - Award of Contract for Police Department Uniforms to McCain Uniform Company. Mayor Evans stated to Council that they should each have before them a copy of Resolution #R117-11/12, Award of Contract for Police Department Uniforms to McCain Uniform Company, which is actually what we do annually. Mayor Evans stated that Chief Riley is here, along with Battalion Chief Green, in the event the Council has questions as it relates to moving forward on this. During discussion, a motion was made by Councilman Randolph, and seconded by Councilwoman Keith, to approve Resolution #R118-11/12, Award of Contract for Police Department Uniforms to McCain Uniform Company, in the amount of \$2,670.00, per complete unit for a Policeman, School Crossing Guard and Jailer, via Account #1.6100 203-0. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

G. Resolution #R117-11/12 - Award of Contract for Fire Department Uniforms to McCain Uniform Company. Mayor Evans stated to Council that they should each have before them a copy of Resolution #R117-11/12, Award of Contract for Police Department Uniforms to McCain Uniform Company. President Williamson asked Battalion Chief Green and Mrs. Harrison did we receive any more than One (1) bid in this, and was McCain the only Company that met the Specifications? Mrs. Harrison answered, and stated that of the responses received, McCain Uniform Company was the only Company that met all of the specifications, per Chief Stokes, after his review of the same. During discussion, a motion was made by Councilman Bowie, and seconded by Councilwoman Benjamin, to approve Resolution #R117-11/12, Award of Contract for Fire Department Uniforms to McCain Uniform Company, in the amount of \$561.00 per complete unit for a Fireman, via Account #1.6500 203-0. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

H. Resolution #R121-11/12 - Declaration of an Emergency - J. L. Chestnut, Jr. Boulevard Landfill. Mayor Evans stated to Council that the Landfill down there has to be maintained for Thirty (30) years, and we can not use it for any purpose at all other than to make sure that erosion does not take place, or A.D.E.M. will be citing us. Mayor Evans further stated that at this point, Ms. Sightler, who worked with us on the building of our Landfill, the new one and the old one who certified the closure as well as the opening of the new Landfill, has come back with A.D.E.M., and stated that they want us to make sure that the Landfill is maintained, and that there is no erosion. Mayor Evans stated from that standpoint, we are going to have to declare an emergency, in order to get a team in here, to inspect everything and get the work done on that old Landfill, according to A.D.E.M. Regulations. Mayor Evans stated that he is asking the Council to approve this Emergency Resolution, #R121-11/12, in order to move forward in getting done what is necessary on the old Landfill located on J. L. Chestnut, Jr. Boulevard, so that we will not get cited for not maintaining and keeping it up to "par" according to A.D.E.M.'s Standards and Guidelines required of the City. During discussion, a motion was made by Councilwoman Keith, and seconded by Councilwoman Crenshaw, to approve Resolution #R121-11/12, A Resolution to Declare an Emergency for the Completion of All Required Closure Activities at the J. L. Chestnut, Jr. Boulevard Landfill, whereby bids will be brought back before the Council for consideration and approval. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

I. Resolution #R122-11/12 - Reappointment of Charles McCall to the Board of Adjustment for Code of Appeals. Mayor Evans stated to Council that he is asking that they reappoint Mr. Charles McCall to the Board of Adjustment for Code of Appeals, for a Three (3) Year Term, Retroactive to May 2009, through May 2012. A motion was made by Councilman Bowie, and seconded by Councilman Randolph, to approve Resolution #R122-11/12, Reappointment of Charles McCall to the Board of Adjustment for Code of Appeals, for a Three (3) Year Term, Retroactive to May, 2009 - May, 2012. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

J. Resolution #R123-11/12 - Reappointment of Velma Brewer to the Board of Adjustment for Code of Appeals. Mayor Evans stated to Council that he is asking that they reappoint Ms. Velma Brewer to the Board of Adjustment for Code of Appeals, for a Three (3) Year Term, Retroactive to May 2011, through May 2014. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Atchison, to approve Resolution #R123-11/12, Reappointment of Velma Brewer to the Board of Adjustment for Code of Appeals, for a Three (3) Year Term, Retroactive to May, 2011 - May, 2014. 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 abstention. President Williamson abstained from voting.

K. Resolution #R124-11/12 - Appointment of Larry Jones to the Board of Adjustment for Code of Appeals. Mayor Evans stated to Council that Mr. Thomas Moss was reappointed as a member of the Board of Adjustment for Code of Appeals in 2007 to a Three (3) Year Term, but passed away before he could be considered for reappointment, thereby creating a vacancy that has not been filled. Mayor Evans stated that he is asking that they appoint Mr. Larry Jones to the Board of Adjustment for Code of Appeals, to fill the vacancy, for a Three (3) Year Term, Retroactive to May 2010, through May 2013. A motion was made by Councilwoman Keith, and seconded by Councilman Bjelke, to approve Resolution #R124-11/12, Appointment of Larry Jones to the Board of Adjustment for Code of Appeals, for a Three (3) Year Term, Retroactive to May, 2010 - May, 2013. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

L. Resolution #R125-11/12 - Appointment of Pat Hagermann to the Board of Adjustment for Code of Appeals. Mayor Evans stated to Council that Ms. Evelyn Speed was reappointed as a member of the Board of Adjustment for Code of Appeals in 2009 to a Three (3) Year Term, but resigned before completing her Term, thereby creating a vacancy that has not been filled. Mayor Evans stated that he is asking that they appoint Ms. Pat Hagermann to the Board of Adjustment for Code of Appeals, to fill the unexpired term of Ms. Evelyn Speed, Effective, December 13, 2011, through May 2012. A motion was made by Councilwoman Keith, and seconded by Councilman Randolph, to approve Resolution #R125-11/12, Appointment of Pat Hagermann to the Board of Adjustment for Code of Appeals, Effective, December 13, 2011 through May, 2012. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

M. Resolution #R126-11/12 - Appointment of Evelyn Cox to the Board of Adjustment for Code of Appeals. Mayor Evans stated to Council that Ms. Hazel Ware was reappointed as a member of the Board of Adjustment for Code of Appeals in 2008 to a Three (3) Year Term that expired in May, 2011, but resigned before completing her Term, thereby creating a vacancy that has not been filled. Mayor Evans stated that he is asking that they appoint Ms. Evelyn Cox to the Board of Adjustment for Code of Appeals, to fill the vacancy created by the resignation of Ms. Hazel Ware, May 2011 through May 2014. A motion was made by Councilwoman Benjamin, and seconded by Councilwoman Keith, to approve Resolution #R126-11/12, Appointment of Hazel Ware to the Board of Adjustment for Code of Appeals, for a Three (3) Year Term, Retroactive to May, 2011 through May, 2014. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

N. Minutes of Boards and Commissions. Mayor Evans stated to Council that the Council asked some time ago that the Minutes be made available to the Council Members. Mayor Evans stated that he believes that they have the Minutes of the Meetings prior to now, and that they will always get them in the future.

O. Update on Etheridge Avenue. Mayor Evans stated to Council that as they know Etheridge Street is one of those Projects that we have had to work hard on getting completed, but it is done now. Mayor Evans stated that Etheridge Avenue is open, and it looks very nice. Mayor Evans further stated that they installed the gate, and the "bells and whistles", and if they notice, the "Stop" Signs blink constantly, both night and day, to indicate that that is a railway, and he is happy about that. Mayor Evans stated that Mr. Tyrone Traywick, of Bush Hog is present during tonight's Council Meeting, and that he would like to introduce him to the Council. Mr. Traywick addressed the Council and stated that he is the Operations Manager of Bush Hog. President Williamson stated that he is the "Man that keeps 'it' running", and he was *Welcomed* to the City of Selma by President Williamson and the Council. President Williamson further stated that they are glad to have him in Selma. President Williamson stated to Mayor Evans that he thinks that they are all pleased that it is finally completed. President Williamson further stated to Mayor Evans that he was on the "verge" of this, but he would like to state one last time, that he would like to personally apologize to all of the people that live in that area for the inconvenience that they have had to go through while waiting to get this Project completed.

P. Update on Hogg Engineering Projects. Mayor Evans stated to Council that each of them should have a copy of an update and status report on the Projects that Mr. Hogg is working on; namely, (1) Water Avenue Streetscape Project - this project is complete; (2) North Broad Street Drainage Project - the Contractor is approximately 95% complete. The only items of work remaining is clean-up and dressing up. This should be complete this week; (3) Emergency Sanitary Sewer Replacement Behind Old Wal-Mart Project - this project is basically complete. They will schedule a final inspection for late this week or early next week;

and (4) Marie Foster Street Drainage Project - the design for this project is complete. It will be advertised for bids in the Selma Times-Journal on December 13th. Bids will be opened in the City Council Chambers on January 5, 2012, and presented to the City Council for consideration for approval at the January 10, 2012 Council Meeting. President Williamson asked Mr. Hogg how long it would take to complete this Project once the bids are *Let*? Mr. Hogg answered, and stated that they are going to give the Contractor between 20 - 30 days to close the road, and will probably place \$500.00 per day for anytime over that, for them to get the road back opened. Mr. Hogg stated, as it relates to the North Broad Street Drainage Project, that it should be finished in the next week or two.

Q. Update on Convention Center Heating and Cooling Unit. Mayor Evans stated to Council that if they recall some months ago, he asked Council's approval to do the first phase of the Air Conditioning for the Convention Center. Mayor Evans further stated to Council that they appropriated funds to do such, and now he is coming back to them to get assistance with doing the other part. Mayor Evans stated that we can not put anymore gas in there; that we have got to go ahead and fix it, and by doing so this is going to help the heating and cooling problems that we have in this building, as well as, in the Convention Center. Mayor Evans asked Council's approval to move forward with this Project that we started some months ago, by accepting the proposal from Dallas Air Conditioning and Heating, in the amount of \$35,690.00. Mayor Evans asked Ms. Cynthia Mitchell, City Treasurer, to come forward and address the Council, and explain where the funds will come from to take care of the cost to move into the next phase, to repair the Convention Center Heating and Cooling Unit. Ms. Mitchell addressed the Council and stated that those funds can come from the \$364,000.00 that we got back from the 2011 Warrants for the Retirement Pension Plan Fund, and that money will be allocated through Public Buildings Account #1.6022 51036, Public Buildings Repair and Maintenance. President Williamson asked how much of that money had we already allocated? Ms. Mitchell answered, and stated that before tonight's transaction we had a balance of \$164,000.00, but with the \$35,690.00 to make the repairs on the Heating and Cooling Unit at the Convention Center, that amount would be taken from it. President Williamson asked Mayor Evans if he would get a break-down to the Council of the \$334,000.00 and what it has been spent on, to-date? Mayor Evans answered, and stated that he would. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Atchison, to approve the repairs for the Heating and Cooling Unit 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.**

R. Updates on Requests for Service Submitted through the Mayor's Office. Mayor Evans stated to Council that he believes that each Council Member who has turned in a request to have service done in their Ward, should have a copy and a status report. Mayor Evans further stated to Council that the report should either state "completed" or "work in progress". Mayor Evans stated if they do not have said information, to please let him know.

S. Board of Equalization Appointments. Mayor Evans stated to Council that he thinks this is a Council decision, and he would like to just remind them of it.

T. List of New Hires Since July, 2011. Mayor Evans stated to Council that they should have before them a copy of a List of New Hires since July, 2011, and he will ask them to come to our next Council Meeting so that the Council can meet them.

U. Holiday Garbage and Trash Pick-Up Schedule. Mayor Evans stated to Council that they should have within their packet of information, the Holiday Schedule for garbage and trash pick-up. Mayor Evans further stated that the City of Selma's Public Works Department will be closed on Friday, December 23rd and Monday, December 26th, in observance of Christmas Holidays. There will be no garbage or trash pick-up on those two days, but service will resume on Tuesday, December 27th. Mayor Evans stated to Council that they have the Holiday Schedule, and that it will be placed on the City's Website, as well.

V. Guide to City Codes and Ordinances. Mayor Evans stated to Council that they should have before them a Guide to City Codes and Ordinances, which gives them some information to discuss with Citizens. Mayor Evans stated this information is being presented to them as a "little information tool".

W. Mayor's Inspirational Achievers Awards Program. Mayor Evans stated to Council that he has been working since last summer, trying to establish an Inspirational Achievers Awards Program, which will be a "Team of Students in our City", Grades 3 - 12. Mayor Evans further stated that he met with Administrators on yesterday, and they are all on "board" with this, to move forward with recognizing our Young People, Grades 3 - 12. Mayor Evans stated that the "Nominees" will be selected from public and private schools located within the Selma City Limits. Mayor Evans further stated that the "mission" of the Inspirational Achievers Awards Program is to recognize Elementary, Middle and High School Students who serve as an "inspiring example" for their Peers and the Community. Mayor Evans stated that Nominees must have passing grades in all subjects, and that the Nomination Process will occur at three levels: Grade Level, Grade Span and Mayor's Award. Mayor Evans stated this is a "beginning" for us, and he thinks that it is important that we recognize our young people in terms of their achievements and service to the community.

Mayor Evans further stated that he will be writing letters to businesses and Corporate Sponsors, asking them to support and give donations to this type of funding, to recognize our Young People at the Mayor's Inspirational Achievers Awards Banquet, at the Convention Center on May 1, 2012, at 6:00 p.m. Mayor Evans stated that any support that anyone can help towards this Program will be appreciated.

X. Updates and "Thanks" on Christmas Events. Mayor Evans stated to Council that he thought the Christmas Parade was wonderful, and he appreciates all of them for being a part of that. Mayor Evans stated he thought the "turn-out" was outstanding, and that he did not see a vacant area on Broad Street. Mayor Evans further stated that the people came out; that there was great participation from Participants. Mayor Evans stated he feels it was one of our best; and that each year it seems to get better and better. Mayor Evans stated he wanted to thank everybody who volunteered to make that happen! Mayor Evans stated he wanted to thank all of the Participants who participated, and Ms. Sheryl Smedley, who worked with that along with Mrs. Candi Duncan, Ms. Charlotte Griffeth and the Office of Planning and Development, Ms. B. J. Smothers, and all who helped collectively to make the Parade a success! Mayor Evans stated that he wants to commend them, and thank them for doing that, and that we look forward to an even bigger one next year! Mayor Evans stated that the Christmas Tree Lighting Ceremony was marvelous. Mayor Evans stated that the "Window Lighting Unveiling Ceremony" downtown on Broad Street was also wonderful, and that he appreciates the Businesses for being a part of that. Mayor Evans stated that he hopes we continue this in the Spirit of Christmas, and in keeping Christ in Christmas! Mayor Evans further stated that he hopes he did not leave out anybody in giving thanks for what they did to help with the Christmas Events, and if he did, he asked that they accept his apology; that he wanted to make sure that everybody knows that we appreciate them.

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

- (1) *City of Selma Open House - Friday, December 16th, All City Departments - All Day*
- (2) *Christmas Luncheon - Monday, December 19th, Convention Center, 11:30 a.m. - 2:00 p.m.*
- (3) *National Championship Viewing Party - Monday, January 9, 2012, Performing Arts Center, at 6:00 p.m.*
- (4) *"State of the City" Address - Monday, January 30, 2012, Convention Center; 12 o'clock noon and at 5:30 p.m.*

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. ABC License Application - Cheers Package Store - 1105 Broad Street. Attorney Nunn stated to Council that they should have before them an ABC License Application, Cheers Package Store, for a Lounge Retail Liquor License, Class II, which is located at 1105 Broad Street. Attorney Nunn further stated that said Alcoholic Beverage License Application was placed on 1st Reading during the last Council Meeting. Attorney Nunn stated that the publication has been advertised in the newspaper. Attorney Nunn asked Council's consideration of the same. During discussion, a motion was made by Councilman Bjelke, and seconded by Councilman Atchison, to approve said Alcoholic Beverage License of Cheers Package Store, for a Lounge Retail Liquor License, Class II, located at 1105 Broad Street. 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 abstention. President Williamson abstained from voting. During roll call, Councilwoman Crenshaw stated that she is going to vote "yes", with the understanding that if at any point and time that she finds that they are selling to Teenagers, then she is going to ask the Council to do just what they did for 12th Stone, and any other; they are not to sell to Teenagers "period". President Williamson added, "to revoke their Business License", and Councilwoman Crenshaw concurred.

B. Reimbursement of Deductible - A.M.I.C. Statement. Attorney Nunn stated to Council that they should have before them an A.M.I.C. Statement/Invoice in the amount of \$2,583.50, and asked Council's favorable consideration of the same. A motion was made by Councilman Bjelke, and seconded by Councilman Atchison, to approve payment of the A.M.I.C. Statement in the amount of \$2,583.50. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

C. Redistricting Update. Attorney Nunn stated to Council during the last Council Meeting that Councilwoman Benjamin brought to the attention, as it relates to redistricting, whether or not there are guidelines out there concerning redistricting. Attorney Nunn further stated his office did prepare a Guide to Redistricting/Ward Re-Alignment, which is what they have before them, as it relates to Municipal Redistricting, Code of Alabama, Section 11-4623, Code of Alabama, 1975. Attorney Nunn stated that it states that any changes in ward lines must be submitted to the U. S. Department of Justice. Attorney Nunn further stated that on the second page is the Procedure for Realignment of Wards, which is a "proposal, and that

CITY ATTORNEY'S REPORT

there are Nine (9) Steps there, and we are at Step 2, Ward Maps Redrawn to Reflect Proposed Changes. Attorney Nunn stated on Page 3 are Restrictions and Requirements Pursuant to Section 5 of the Voting Rights Act, that a proposed plan cannot have a "Retrogressive Effect; that it cannot diminish the ability of any Citizen by race, color, or membership in a minority language group from electing their preferred candidate of choice. Attorney Nunn stated that another restriction is "Gerrymandering" which is a practice that attempts to establish a political advantage for a particular party or group by manipulating geographic boundaries to create partisan, incumbent-protected districts. Attorney Nunn stated currently, Political Gerrymandering is lawful; meaning, it is legal to draw district lines to protect incumbents of all political parties as long as the process is absent of any discrimination based on race, color or membership in a language minority. Attorney Nunn further stated that the Justice Department cautions against any type of Gerrymandering because it is so easily to spill over into Racial Gerrymandering. Attorney Nunn stated below is a list of the Requirements which the Plan must comply with, and on Page 4, they have the Submission to the United States Justice Department. Attorney Nunn stated once everything is completed in our procedure, Step 7 on Page 2, then it comes to his office to be submitted to the United States Department of Justice for approval. Attorney Nunn further stated that on Page 5 are some Guidelines from the United States Justice Department as it relates to Redistricting, and on page 6 is Title 28: Judicial Administration, Part 51, Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, as amended, and on Page 7 is Contact Information, if anyone needs to contact the Justice Department. Attorney Nunn stated that the United States Justice Department gives out a "Guide" themselves, and that is the last section that they have, "Guidance Concerning Redistricting Under Section 5 of the Voting Rights Act". Attorney Nunn asked the Council to read over this information and review it, and if they have any questions to feel free to give his office a call. Attorney Nunn stated that the United States Department of Justice is based on looking at Discriminatory Acts, and that is their main purpose in looking at what we submit to the Justice Department. Councilwoman Benjamin stated to Attorney Nunn that she also stated during the last Council Meeting that she would bring the Web Address, and that address is: southernecho.org for those want to visit, and that it is "reader friendly".

D. Resolution #R120-11/12 - Weed Abatement (Phase I). Attorney Nunn stated to Council that they should have before them Resolution #R120-11/12, Weed Abatement (Phase I), declaring public nuisance and immediate abatement. Attorney Nunn further stated that this is where Code Enforcement has determined that certain properties within the City of Selma have noxious and dangerous weeds that are growing on the properties herein listed. Attorney Nunn stated that Resolution #R120-11/12 authorizes the City Clerk, Mrs. Ivy S. Harrison, to forward Certified Letters to the Property Owners, as it relates to weeds that have been declared a public nuisance via the Code Enforcement Officer, advising them of the same. Attorney Nunn further stated that the Letters request the Property Owners to abate the weeds that have been declared a nuisance, and if they shall not do the same, then the City of Selma will abate the weeds, and place a Lien on said property. Attorney Nunn asked Council's approval of the same. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Randolph, to approve Resolution #R120-11/12, Weed Abatement (Phase 1). **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

E. Resolution #R119-11/12 - Declaring Certain Properties as Unsafe Structures. Attorney Nunn stated to Council that what they have before them is Resolution #R119-11/12, Resolution Declaring Certain Properties as Unsafe Structures, which deals with dilapidated houses and unsafe structures; properties that have been classified as "dangerous buildings" and/or a "nuisance" under the Code of Ordinances of the City of Selma. Attorney Nunn further stated that the Code Enforcement Officer has visited the site and classified this certain piece of property as a dangerous building and/or a nuisance pursuant to Section 6-101 of the Code of Ordinances of the City of Selma, and Section 11-53B-1 through 11-53B-16 of the Code of Alabama, 1975, as last revised. Attorney Nunn stated that there is One (1) piece of Property, and that this is the initial stage, which gives the Code Enforcement Office and the City Clerk's office, the authority to proceed with forwarding notices, via certified mail, notifying each property owner and, further advising that said Property Owner has Forty-Five (45) days in which to rectify the condition of said property, and if the property is not brought into compliance, then the City shall move forward in rectifying the "dangerous" building in accordance with the Law. Attorney Nunn asked Council's consideration of the same. A motion was made by Councilman Bjelke, and seconded by Councilwoman Crenshaw, to approve Resolution #R119-11/12, Resolution Declaring Certain Properties as Unsafe Structures. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

F. Executive Session. Attorney Nunn made a request of the Council to recess into an Executive Session for approximately 30 minutes, to discuss controversial legal matters that have been presented to the City of Selma.

BUSINESS ITEMS:

I. NOISE ORDINANCE

President Williamson stated he wanted to remind everybody that we still have a Noise Ordinance in place. President Williamson further stated that he does not know if it is any better; that he is not getting as many complaints about it, and hopes it is better.

II. AMPHITHEATER UPDATE

Mayor Evans stated that there is a lot of work to be done, and that he and Ms. Charlotte Griffeth had met with the Engineers, to get some things done, but that it is still a work-in-progress. Mayor Evans asked that Ms. Griffeth come forward to address the Council with an update. Ms. Griffeth stated to the Council that we have some serious roofing problems on the building that we are planning to use, that you can see where some of the decking has started to collapse. Ms. Griffeth further stated that the building is a very strong building, and that it has a trusse system, but the trusse system needs to be replaced, and that they were hoping to do a lot of preliminary work before the replacement of the trusse system, but the Engineers have looked at it, and they decided to go ahead and break everything up; the construction into phases, so that they can get started on it. Ms. Griffeth stated that they may have to come back before the Council and request that the Council declares it an emergency, because they do not want it to put structural stress on the walls to the point where it compromises the stability of the structure. Ms. Griffeth stated that they have a preliminary timeline for this; they have Four (4) funding sources and the support of Three (3) Entities, including the Military. Ms. Griffeth further stated that the Engineers can not come until April, and they must do some work now. Ms. Griffeth stated after they have stabilized the building, and put the new roof on, they will remove the one-story unit, and then come back and do stucco infield where the arch openings are, and then they will be ready for the stage, and the grading for lawn seating for the Amphitheater. President Williamson asked if it was possible to get a timeline on the construction, and if so, when is it going to be completed? Mayor Evans answered, and stated that it will be complete in 2012, but asked if the Council would allow him to gather all of the information as it relates to the figures and projected dates, and have that for the next Council Meeting. Mayor Evans stated he will have this information available at the next Council Meeting, that will give them a timeline as well as some expectations as it relates to the Amphitheater.

III. OLD Y.M.C.A.

Councilman Bjelke stated that the details of the Façade Easement are being finalized by the Historic Society and they are going to soon present them to Mr. John Calame who is Mr. Tom Bolton's Attorney, for consideration. Councilman Bjelke further stated in the meantime, the Society is coming up with a Plan "B" in the event Mr. Bolton does not approve, and that is where we are at this time. Councilman Atchison asked President Williamson if the next step would be a hearing before the Council, in the event Mr. Bolton does not agree, and if he was correct in thinking that? President Williamson answered, and stated that that is correct; the next step would be a hearing before the Council. President Williamson asked Councilman Bjelke to try and move this along, if he can, and Councilman Bjelke stated that he would.

IV. TEPPERS BUILDING

President Williamson asked Mayor Evans if there was any word that there is going to be anything done with the Teppers Building? Mayor Evans answered, and stated that, ironically, he received a Memo on Friday or Monday, and that he had a follow-up meeting with Ms. Gwen Brown and Mrs. Sheyann Christburg, and in doing so, they are planning on coming in and renovating that Building in the Spring with a program with the Youth, in that Building. Mayor Evans stated that that is what they indicated to him at this point, that they plan to come in the Spring.

V. WARD 4 END OF YEAR CELEBRATION - DECEMBER 19 - PERFORMING ARTS CENTER

Councilwoman Benjamin stated that she would like to thank everyone for coming out on last year, and that they hope to see everyone again on Monday, December 19th, at the Performing Arts Center, at 6:00 p.m. Councilwoman Benjamin further stated that they do have a short program, and it will only take a short well. Councilwoman Benjamin asked that everyone come and help celebrate, and that this is another opportunity in "December" to eat.

VI. WARD 4 COMMUNITY DEVELOPMENT UPDATE FROM MAYOR EVANS

Councilwoman Benjamin asked if they could make sure that all of the information has been received in Washington, as it relates to First Avenue. Ms. Griffeth stated that we cannot begin work until AmeriCorps receives an Agreement from the Department of Public Health. Ms. Griffeth further stated once the Agreement is received, it will be brought before the Council for approval, and once approved, work can begin with the Cedar Park side. Councilwoman Benjamin asked Ms. Griffeth to keep her informed.

VII. PAY RAISES

President Williamson stated that Councilman Tucker is absent tonight, and that this Item will be Continued until the next Council Meeting.

VIII. STREET NAMING

President Williamson stated that Councilman Tucker is absent tonight, and that this Item will be Continued until the next Council Meeting.

IX. CITY OWNED PROPERTIES

Councilman Bjelke stated that he is gathering information from the Residents in the area. Councilman Bjelke further stated that he is getting some good response back and some good ideas, and that he is still gathering information.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Samuel Randolph, Chairman

No Report. (Mayor Evans gave an update to the Council as it relates to the City Marina, and stated that it is still a work-in-progress, that they are still trying to come up with additional funding.)

ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman

No Report.

PUBLIC SAFETY COMMITTEE - Councilman Thomas Atchison, Chairman

No Report.

COMMUNITY DEVELOPMENT - Councilwoman Susan Keith, Chairman

No Report.

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

Councilman Bjelke made a report.

DISCRETIONARY COMMITTEE - President Cecil Williamson, Chairperson

President Williamson stated he will be placing a copy of the Discretionary Report in everybody's mailbox.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

No Report.

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

No Report.

CITY ATTORNEY'S REPORT CONTINUED

G. Executive Session. Attorney Nunn made a request of the Council to recess into an Executive Session for approximately 30 minutes, to discuss controversial legal matters that have been presented to the City of Selma. A motion was made by Councilwoman Keith, and seconded by Councilman Bjelke, to recess into executive session, to discuss legal matters, at 7:36 p.m. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

Following Executive Session, a motion was made by Councilwoman Keith, and seconded by Councilwoman Benjamin, to reconvene the Council Meeting back into its regular session at 8:20 p.m. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

Thereafter, a motion was made by Councilman Bjelke, and seconded by Councilwoman Keith, that the Council will retain a Home Inspector to look into the problem that the Council discussed during Executive Session, and that Attorney Nunn will follow-up with the arrangements of the same. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

CLOSING REMARKS BY EACH COUNCIL MEMBER.

During Closing Remarks, it was the Consensus of the Council Members present that this is going to be our only Council Meeting for the month of December. A motion was made by Councilwoman Benjamin, and seconded by Councilman Bjelke, to approve that the Council Meeting on tonight will be the only Council Meeting held for the Month of December, 2011, and that the next scheduled Council Meeting will be held on Tuesday, January 10, 2012. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

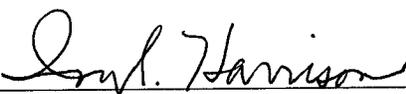
ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilman Bowie, and seconded by Councilwoman Keith, to adjourn this meeting, and by unanimous consent of the Council, this meeting adjourned at 8:28 p.m.



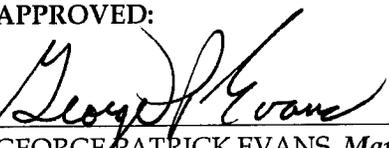
DR. CECIL WILLIAMSON, *Council President*

ATTEST:



IVY S. HARRISON, *City Clerk*

APPROVED:



GEORGE PATRICK EVANS, *Mayor*