

**MINUTES OF THE  
SELMA CITY COUNCIL  
JULY 13, 2010  
5:15 P.M.**

Call to Order

**“MOMENT OF SILENCE”  
IN MEMORY OF  
MR. WESLEY BELL AND MS. JESSICA COLON WHO BOTH LOST THEIR LIVES TO MURDER  
IN THE CITY OF SELMA WITHIN THE LAST WEEK;  
MR. BELL ON LAST WEDNESDAY, AND MS. COLON, ON YESTERDAY EVENING**

Invocation: Reverend Effell Williams, Pastor  
Tabernacle of Praise Church

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, July 13, 2010 at 5:15 p.m.

**ROLL CALL**

The following Members were present during roll call: Council President Dr. Cecil Williamson and Council Members Councilwoman Susan Keith, Councilwoman Bennie R. Crenshaw and Councilman Corey Bowie. Others present were Mayor George Evans, City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Ms. Brenda Smothers. Councilwoman Angela Benjamin was absent during roll call, but returned shortly thereafter. Councilwoman Newton, Councilman Randolph, and Councilman Tucker were absent from the Council Meeting.

**APPROVAL OF AGENDA**

President Williamson asked for the approval of the agenda items. A motion was made by Councilman Bowie, 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 June 22, 2010 regular meeting minutes. A motion was made by Councilwoman Keith, and seconded by Councilwoman Benjamin, to approve the minutes of June 22, 2010. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

**CITIZENS' REQUEST**

Sergeant Natasha Rozzell  
Re: Police Assisting with School Supplies (P.A.S.S.) - August 3, 2010, 5:00 p.m., Clark School

Mr. Buddy Swift  
Re: Old Y.M.C.A. Property (Matter Referred to Councilwoman Keith, Chairperson, Community Development)

Attorney Faya Rose Toure'  
Re: Citizens' Security Issues and Crime Report (Matter Referred to Councilman Bowie, Chairperson, Administrative Committee)

Ms. Pamela Blocton (Ms. Linda Benjamin and Ms. Renarda White)  
Re: The Process for Locating and Investigating Missing People (Matter Referred to Mayor Evans)

Ms. Sheena Colon  
Re: Sister of Ms. Jessica Colon, Victim Who Was Murdered on Yesterday, Monday, July 12<sup>th</sup>  
A motion was made by Councilwoman Keith, and seconded by Councilwoman Benjamin, to allow Ms. Colon to address the Council. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

Mr. John T. Jowers  
Re: Purpose of "Ordinance" - To Address Violent Crime Within the City - Murders in the City  
A motion was made by Councilwoman Crenshaw, and seconded by Councilman Bowie, to allow Mr. Jowers to address the Council. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

A. Introduction of New Employees. Mayor Evans stated he would like to introduce to the Council, Police Officer Brandon Culpepper, who recently began employment with the City of Selma, and newly sworn in, within the Selma Police Department, and Ms. Ashley King, who began employment with the City of Selma, within the Magistrate's Office. They were both welcomed by the Mayor and Council.

B. Monthly Financial Report - June, 2010. Mayor Evans stated to Council that they should have before them a copy of the Monthly Financial Report for the Month of June, 2010. Mayor Evans further stated as can be seen, our report reflects that we had a profit of \$66,588.17 for the month of June, but overall Y-T-D we are still \$149,337.43 less in terms of revenue, than we were this time last year. President Williamson stated to Mayor Evans that he thinks it is encouraging that the Lodging Tax is up \$16,835.49, this year over last year, and Mayor Evans concurred.

C. Code Enforcement Reports - June, 2010. Mayor Evans stated to Council that they should each have before them a copy of all of the identified properties in the City for the Month of June, 2010, for their review.

D. Resolution #R248-09/10, Transfer of Funds from the 2009 Build America Bond Fund to Account #1.6200 126-0. Mayor Evans stated to Council that they should have within their packets information as it relates to Resolution #R248-09/10, Transfer of Funds from the 2009 Build America Bond Fund to Account #1.6200 126-0. Mayor Evans further stated said Resolution #R248-09/10 allows the City Public Works' Department to use a portion of these funds to repair and maintain the Department's vehicles and heavy duty equipment due to the depletion of funds of its vehicle repair account (1.6200 126-0) this Fiscal Year. Mayor Evans asked Ms. Cynthia Mitchell, City Treasurer, to come forward and address the Council, with an explanation. During discussion, a motion was made by Councilwoman Keith, and seconded by Councilwoman Crenshaw, to approve Resolution #R248-09/10 and authorize the Public Works' Department to use Twenty-Seven Thousand Two Hundred Thirty-Three Dollars and Thirty-Eight Cents (\$27,233.38) from the Bond Account to be used by the City Public Works' Department to maintain and repair trucks and heavy duty equipment necessary to carry out garbage collection and other Public Works' responsibilities through the end of this Fiscal Year. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

E. Resolution #R250-09/10 - Authorization to Submit Block Grant Application - Selma Riverfront Amphitheater. Mayor Evans stated to Council that they should also have before them Resolution #R250-09/10, Authorization to Submit Block Grant Application, for construction of Phase I of the Selma Riverfront Amphitheater. Mayor Evans asked Ms. Charlotte Griffeth to come forward and address the Council, with an explanation. During discussion, a motion was made by Councilman Bowie, and seconded by Councilwoman Keith, to approve Resolution #R250-09/10, Authorization to Submit Block Grant Application to the Alabama Department of Economic and Community Affairs, requesting \$250,000.00 in Grant Funds, with a cash match of \$600,000.00. A roll call vote was taken and the motion passed with a majority vote of the Council. There were four affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote.

F. Bush Hog - Update. Mayor Evans stated to Council that the Bush Hog situation is still a matter of concern, and that Mr. Josh Pierce, P.E., of Goodwyn, Mills & Cawood, is also here, and he would like for him to come forward and address the Council with an update. Mayor Evans further stated that he wanted the Citizens to know that a commitment was made to the Citizens in terms of how this is going to be handled. Mayor Evans stated that Governor Riley is scheduled to come on August 6<sup>th</sup>, whereby he will be making a contribution to the City, via Senator Sanders, so that we can move forward on this Project, in the amount of \$300,000.00. Mayor Evans stated the County and City Government, E.D.A., and the Chamber of Commerce have also contributed funds towards this Project. Mayor Mayor Evans further stated that Goodwyn, Mills & Cawood are working with us, in terms of getting the R.F.P.'s out for the Project.

Mayor Evans stated to Council that they should have within their packet of information a list of the Bond - Street Projects. Mayor Evans stated, for the record, that Item #8 of the List, as it relates to Old Marion Junction Road (Crescent Hill) will be moved up to the list of Priority Items, as opposed to remaining below on the "Additive Alternative #1 list. Mr. Josh Pierce addressed the Council with an update. Mr. Pierce further stated that this list was a "draft" and that said street was mistakenly placed in the "alternate" category.

G. Update on S.C.L.C. - Sponsored Event Scheduled for August 7, 2010. Mayor Evans stated to Council that they should have within their packet of information, a copy of a letter, from Bishop Fortier, in response to the letter that he had given to the Council, as it relates to the "Gospel and Praise Celebration for the Right to Vote", to be held on August 7, 2010.

H. Trash Trailer Schedule and Locations. Mayor Evans stated to Council that they should have within their packets information as it relates to the Trash Trailer Schedule and Locations, where the trash trailers will be placed in Ward 6 beginning on Friday, July 16<sup>th</sup>, at 3:00 p.m., to be picked up on Monday, July

19<sup>th</sup>, at 7:00 a.m. Mayor Evans further stated that Ms. Leesha Faulkner, Editor for the Selma Times-Journal, will be placing an advertisement in the newspaper as it relates to said Schedule and Locations.

I. **Block Captains - Adopt-a-Block Neighborhood Clean-Up.** Mayor Evans stated again he appeals to Citizens to help the City by becoming a "Block Captain" on their Street. Mayor Evans further stated that it is urgent that we clean up the City. Mayor Evans stated that he needs the help of Citizens of Selma, to pick up trash in their Neighborhood. Mayor Evans stated that we are going to take care of getting the grass cut, and that we are demolishing condemned properties every week, but he needs their help as it relates to the other aspect.

J. **Departmental Presentations - August 17<sup>th</sup> and August 19<sup>th</sup>.** Mayor Evans stated to Council that they should have within their packets information as it relates to Department Presentations on August 17<sup>th</sup> and August 19<sup>th</sup>, at the Performing Arts Center. Mayor Evans further stated a group of Department Heads and Employees will have a display for Citizens of Selma to come through, and meet them, and talk about items pertinent to that Department. Mayor Evans encouraged everyone to come out on Tuesday, August 17<sup>th</sup>, and Thursday, August 19<sup>th</sup>, at the Performing Arts Center at 6:00 p.m., to ask questions about what the Departments do, to gain a better understanding of the job that we are trying to do.

K. **Crime and Violence in the City of Selma - Resolution to Request Legislative Delegation to Revise And/Or Repeal Certain Laws.** Mayor Evans stated we have a real problem with crime in our City, as was discussed during our Work Session on last evening. Mayor Evans stated with the young lady being killed last night, after going to the crime scene and visiting with her parents at the Emergency Room, it just brings more sorrow to his eyes and heart, the fact that people have no value of another's life. Mayor Evans further stated that something has to be done about the law that is in place to make sure that people who choose to "cold-bloodedly" kill somebody, that something is done. Mayor Evans stated that he called Attorney Nunn early this morning, and asked him to look at the resolution and legislation that state what happens when a person kills somebody that they have Thirty (30) to One Hundred (100) days after the conviction, for the appeal process which can go on and on. Mayor Evans further stated that we need to come together and come together and find some legislation, and revise these laws, whereby these people who choose to go out and just murder somebody, that there are some serious consequences that they do not have the right to come out anymore. Mayor Evans stated that he is appealing to the Council, that we need to seriously take steps to revise penalties for murder. President Williamson stated to Mayor Evans that they will place the "draft" resolution on 1<sup>st</sup> Reading, for review by the Council, in order for them to look at and take action at the next Council Meeting.

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

*Unveiling of the Recycling Signs - Leadership Selma - Dallas County Class XVII Kick Off Breakfast, on July 30, 2010, at 7:30 a.m., Vaughan Regional Medical Center (Medical Office Tower, 1<sup>st</sup> Floor Classroom).* Mayor Evans stated he would like for everyone to try and attend this "Campaign", to address the trash in our City, and the "Recycling" piece.

#### **CITY ATTORNEY'S REPORT**

A. **Public Hearing on Street Vacating Petition.** Attorney Nunn stated to Council that they should have before them a Notice of Public Hearing, to be held on Tuesday, July 27<sup>th</sup>, at 5:00 p.m., in the Council Chambers of City Hall, to consider the Petition to Assent to the Vacation of Portions of Certain Streets and Alleys Within the City of Selma. Attorney Nunn further stated any Citizen alleging to be affected by the proposed Vacationing of the portions of Streets and Alleys may submit a written objection to the City Clerk, Mrs. Ivy Harrison, at 222 Broad Street, Selma, AL 36701, or may attend the Public Hearing and have the opportunity to speak *For*, or *Against* the proposed Vacationing.

B. **Resolution #R247-09/10 - Recycling Program.** Attorney Nunn stated to Council that what they have before them is Resolution #R247-09/10, Resolution to implement a mandatory recycling program within the City of Selma, effective October 1, 2010. Attorney Nunn further stated that said Resolution #R247-09/10 was forwarded to the Council during the weekend for their review, and presented during last night's Work Session, and is being sponsored by Councilwoman Keith. President Williamson stated that this Item is being Continued until the next Council Meeting.

C. **Alabama Municipal Insurance Corporation (A.M.I.C.) - Statement - Reimbursement Fees.** Attorney Nunn stated to Council that they should have before them an invoice/statement from A.M.I.C., as it relates to the reimbursement of the Insurance Deductibles in the amount of \$10,697.35. Attorney Nunn asked Council's consideration and approval of the same. A motion was made by Councilman Bowie, and seconded by Councilwoman Keith, to approve the reimbursement of the Insurance Deductibles in the amount of \$10,697.35, to A.M.I.C. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

D. Resolution #R246-09/10 - Oak Street Vacating. Attorney Nunn stated if Council recalls there as a Public Hearing on June 8<sup>th</sup> at 4:00 p.m., that we did have a hearing to discuss the closure of Oak Street. Attorney Nunn further stated we did all of the legal requirements as it relates to publications in the newspaper, for four (4) consecutive weeks, and sent all of the adjoining landowners by U.S. Mail, copies of the proposed Hearing, for them to attend. Attorney Nunn stated that all of the utility companies were notified, along with the Railroad Company. Attorney Nunn further stated after the Public Hearing it was brought back before the Council, and now is being brought in the form of Resolution #R246-09/10, Vacating the Right-of-Way of 100 Feet (50 Feet on each side of the Norfolk Railroad; 50 Feet to the North, and 50 Feet to the South) along with the Survey. During discussion, a motion was made by Councilwoman Keith, and seconded by Councilman Bowie, to approve Resolution #R246-09/10, and that Oak Street be closed forthwith. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

E. Resolution #R244-09/10 - Mayor Call for Special Election. Attorney Nunn stated to Council that what they have before them is Resolution #R244-09/10, Mayor Call for Special Election, to be held in the City of Selma on Tuesday, September 28, 2010, and, if necessary, a Run-Off Election on Tuesday, November 9, 2010, For the Purpose of Electing a Councilperson to Ward 1. Attorney Nunn further stated the hours of the election will be from 7:00 a.m. and 7:00 p.m., and, also the same, in the event of a Run-Off. Attorney Nunn stated the location of Voting Places for said Special Election, will be Old National Guard Armory, and Memorial Stadium, and the Absentee Box will be located in the City Clerk's office, here at City Hall. Attorney Nunn stated any qualifying elector who will have resided within Ward 1, for a period of at least Ninety (90) days on September 28<sup>th</sup>, may qualify to run for the position of Ward 1, beginning Monday, July 19<sup>th</sup> - Tuesday, August 17<sup>th</sup>, until 5:00 p.m., by filing the appropriate forms and paying the appropriate fees, as otherwise provided by the Law. Attorney Nunn stated Resolution #R244-09/10, Mayor Call for Special Election, is up for approval by the Council to approve the Mayor's action. During discussion, a motion was made by Councilwoman Keith, and seconded by President Williamson, to approve Resolution #R244-09/10, Mayor Call for Special Election. **A roll call vote was taken and the motion passed with a majority vote of Council Members present. There were four affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote.**

F. Notice of Special Election. Attorney Nunn stated to Council that what they have before them is Notice of Special Election, and he wanted to advise the Council that said Notice will be running in the Selma Times-Journal on Sunday, July 18<sup>th</sup>. Attorney Nunn stated again, as was stated previously, upon said Publication of the Notice of Special Election, anyone that wants to qualify may begin to do so, with the City Clerk, Mrs. Ivy Harrison, beginning on Monday, July 19<sup>th</sup>, at 8:30 a.m., within the City Clerk's Office. During discussion, Mayor Evans stated, for the record, the Special Election is by Law by the fact that the Council chose not to appoint someone; by Law the Mayor has to call for an election to carry out that duty. Mayor Evans further stated that it is not by design; it is the Law, and he wants the record to reflect that. Councilwoman Crenshaw stated, in response to Mayor Evans' statement, that she truthfully understood that; it was by Law, but that she just thought that to save a little money that we really did not have to have an election, and could have trusted the integrity of the Council Members to get that done, and be through with it. Councilwoman Crenshaw further stated that she was not voting against the Law, but was voting against the process itself, because we actually did not have to have it.

G. Resolution #R243-09/10 - Appointment of Alternate Person to Perform Election Duties. Attorney Nunn stated to Council that what they have before them is Resolution #R243-09/10, Appointment of Alternate Person to Perform Election Duties. Attorney Nunn stated in said Resolution #R243-09/10, we have designated Mrs. Ivy Harrison, City Clerk, to perform the duties required of the Mayor, and that we do this every time an Election comes up. Attorney Nunn asked Council's consideration of the same. A motion was made by Councilwoman Keith, and seconded by Councilwoman Benjamin, to approve Resolution #R243-09/10, Appointment of Alternate Person to Perform Election Duties. **A roll call vote was taken and the motion passed with a majority vote of Council Members present. There were four affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote.**

H. Special Municipal Election Calendar. Attorney Nunn stated to Council that they should have within their packets the Special Municipal Election Calendar. Attorney Nunn stated said Special Municipal Election Calendar goes from Tuesday, April 20, 2010, through Tuesday, November 23, 2010. Attorney Nunn further stated if we do not have a Run-Off Election, the newly Elected Council Person will take office on October 12<sup>th</sup>, and if there is a Run-Off, the newly Elected Council Person will take office on Tuesday, November 23<sup>rd</sup>.

I. Ordinance #O111-09/10, An Ordinance Allowing for Automated Photographic Enforcement of Traffic Control Device Violations. Attorney Nunn stated to Council that they should have within their packets Ordinance #O111-09/10, An Ordinance Allowing for Automated Photographic Enforcement of Traffic Control Device Violations. Attorney Nunn further stated said Ordinance #O111-09/10 authorizes the placement of cameras at the red light intersections. Attorney Nunn asked Council's consideration to place Ordinance #O111-09/10, on 1<sup>st</sup> Reading. A motion was made by Councilman Bowie, and seconded by Councilwoman Keith, to place Ordinance #O111-09/10, An Ordinance Allowing for

Automated Photographic Enforcement of Traffic Control Device Violations, on 1<sup>st</sup> Reading. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

J. Resolution #R249-09/10 - Resolution Declaring Public Nuisance and Immediate Abatement (Weed Abatement, Phase 1). Attorney Nunn stated to Council that what they have before them is Resolution #R249-09/10, Resolution Declaring Public Nuisance and Immediate Abatement, which includes 20 properties on the attached list. Attorney Nunn stated this is the beginning stage of declaring the properties a public nuisance by the Council, and authorizes certified letters to be forwarded to the property owners via the City Clerk's office, requiring them to abate the weeds and grass on the said properties. A motion was made by Councilwoman Benjamin, and seconded by Councilwoman Keith, to approve Resolution #R249-09/10, Resolution Declaring Public Nuisance and Immediate Abatement (Weed Abatement, Phase 1). A roll call vote was taken and the motion passed with a unanimous vote of the Council Members Present.

K. Resolution #R251-09/10 - Resolution to Address Violent Crime Within the City. Attorney Nunn stated to Council that what they have before them is Resolution #R251-09/10, Resolution to Address Violent Crime Within the City. Attorney Nunn stated that this Resolution was requested by Councilman Bowie, and was requested prior to the death of the Young Lady on last night. Attorney Nunn read Resolution #R251-09/10 in its entirety. During discussion, a motion was made by Councilman Bowie, and seconded by Councilwoman Keith, to approve Resolution #R251-09/10, Resolution to Address Violent Crime Within the City. A roll call vote was taken and the motion passed with a majority vote of Members present. There were four affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote.

L. Compensation for Absentee Election Manager. Attorney Nunn stated to Council that back in 2006 under Act 2006-570, State Law was revised to include that Municipalities must pay compensation to our Absentee Election Manager in the amount of Fifty and No/100 Dollars (\$50.00). Attorney Nunn further stated to Council that what they have before them is Ordinance #O112-07/08 which we passed on July 14, 2008, which stated that our Absentee Election Manager would be compensated in the amount of Fifty and No/100 Dollars (\$50.00) per day for the performance of his or her duties with respect to the absentee ballots on election day, and during the Thirty-Five (35) day period prior to the day of the election. Attorney Nunn stated during the Legislative Session this year, the Law was amended, and what they have before them now is a copy of the Law, Section 11-46-57. Attorney Nunn further the second paragraph states, the town clerk, city clerk, or other officer performing the duties of the clerk, as the case may be, shall have and perform the duties required by Chapter 11 of Title 17, and that for performing said duties, the municipal governing body may compensate the clerk or other officer performing the duties of the clerk, in whatever manner and amount it seems appropriate. Attorney Nunn stated, in speaking with the League of Municipalities on today, it was confirmed that the Law states that Municipalities do not have to pay compensation in the amount of Fifty and No/100 Dollars (\$50.00) as was required previously, although they may allow it to happen, or they may change it. Attorney Nunn further stated prior to 2006 the City Clerks were not being compensated, but then we started paying them in 2006. Attorney Nunn stated this is being brought before the Council to see what action do they want to take. Attorney Nunn further stated that Ordinance #O112-07/08 is already in place to compensate the City Clerk, but if there are no changes to be made to that action, then they do not have to do anything, but if they want to take a vote, it just affirms that Ordinance #O112-07/08 is still in effect. Councilwoman Crenshaw stated she would like the Council to affirm, and made a motion, which was seconded by Councilwoman Benjamin, to affirm that Ordinance #O112-07/08, would remain and stay in effect, whereby the City Clerk will be compensated in the amount of Fifty and No/100 Dollars (\$50.00), during the Thirty-Five (35) day period prior to the day of the election. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members Present.

#### BUSINESS ITEMS:

##### I. NOISE ORDINANCE

President Williamson stated the Police Department will make their report at the next Council Meeting.

##### II. AUDITOR'S MANAGEMENT LETTER

President Williamson stated that they are giving the Auditor's Management Letter to the Administrative Committee to bring back recommendations.

##### III. MUNICIPAL OFFICIALS' TOWN HALL MEETING

Councilman Bowie stated that this Item is Continued until the next Council Meeting.

##### IV. YOUTH VIOLENCE STUDY CIRCLES

Councilwoman Benjamin stated that this Item is Continued until the next Council Meeting.

**BUSINESS ITEMS:**

**V. TRAFFIC GRANT**

Mayor Evans stated that they did meet today, but they were not able to get a clear understanding of how this is going to work, in terms of the Forty (40) hours, but hopefully by the next Meeting he will be able to report more on this Item.

**STANDING COMMITTEE REPORTS**

**RECREATION COMMITTEE - Councilwoman Monica Newton, Chairman**

Councilwoman Newton was absent from the Council Meeting.

**ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman**

No Report.

**PUBLIC SAFETY COMMITTEE - Councilman Samuel Randolph, Chairman**

Councilman Randolph was absent from the Council Meeting.

**COMMUNITY DEVELOPMENT COMMITTEE - Councilwoman Susan Keith, Chairperson**

No Report.

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

No Report.

**DISCRETIONARY COMMITTEE - President Cecil Williamson, Chairperson**

President Williamson stated we have two (2) requests, and that we will take care of those.

**CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson**

No Report.

**SELMA-DALLAS YOUTH AMBASSADORS - Councilman Corey Bowie, Chairperson**

No Report.

**CLOSING REMARKS BY EACH COUNCIL MEMBER.**

**ADJOURNMENT**

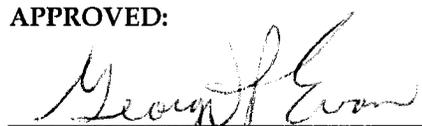
There being no further business to come before the Council, a motion was made by Councilwoman Keith, and seconded by Councilman Bowie, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 7:32 p.m.

  
DR. CECIL WILLIAMSON, *Council President*

**ATTEST:**

  
IVY S. HARRISON, *City Clerk*

**APPROVED:**

  
GEORGE PATRICK EVANS, *Mayor*