

**MINUTES OF THE
SELMA CITY COUNCIL
JULY 27, 2010
5:00 P.M.**

Call to Order

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 27, 2010 at 5:00 p.m.

ROLL CALL

The following Members were present during roll call: Council President Dr. Cecil Williamson and Council Members Councilwoman Dr. Monica Newton, Councilman Samuel Randolph, Councilman Benny L. Tucker, 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 Bennie R. Crenshaw was absent during roll call, but arrived at 5:05 p.m. Councilwoman Angela Benjamin was absent during roll call, but arrived at 5:06 p.m. Councilwoman Susan Keith was absent during roll call, but arrived at 5:10 p.m.

APPROVAL OF AGENDA

President Williamson asked for the approval of the agenda items. A motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve the agenda items, as written, with the exception and deletion of Item VII, of the Business Items. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

**PUBLIC HEARING - VACATING PORTIONS OF CERTAIN STREETS AND ALLEYS WITHIN THE
CITY OF SELMA**

**RESOLUTION #R255-09/10 - RESOLUTION OF CITY OF SELMA VACATING PORTIONS OF CERTAIN
STREETS AND ALLEYS WITHIN THE CITY OF SELMA.**

PETITIONED BY THE UNITED METHODIST CHILDREN'S HOME

Attorney Nunn stated on this evening we have given Notice to the Public and to the Council that we would have a Public Hearing today, in the Council Chambers at 222 Broad Street, Selma, Alabama, on the 27th day of July, at 5:00 p.m., to consider a Petition that was presented by the Children's Home, to Vacate Certain Streets and Alleys within its property. Attorney Nunn further stated that we have gone through the process of posting Notices, here at City Hall and the Dallas County Courthouse, on July 23, 2010, and also published in the Selma Times-Journal Newspaper on June 20th, June 27th, July 4th, and July 11th, and have received Proof of Publication of said Notices. Attorney Nunn stated that the abutting landowners, and Utility Companies, within the surrounding areas have also been forwarded Notices. Attorney Nunn further stated we have complied with Section 23-44-20, and 23-4-2 of the Code of Alabama. Attorney Nunn stated we have before us today the Public Hearing, and that Attorney Terry McAlpine of Birmingham, Alabama, who is representing the United Methodist Children's Home, will present the Petition to the Council. Attorney McAlpine addressed the Council, to present the Petition, and stated that Mr. Steve Hubbard, the Executive Director of the Children's Home, as well as, Representatives from Concordia College; their new President, Dr. Mendedo, Dr. Ramsey, Chaplain, and their Attorney, Mr. McElroy, are present. Following Attorney McAlpine's presentation of the Petition to the Council, Attorney Nunn stated at this time if anyone was present to speak *For* or *Against* the Vacation of Portions of Certain Streets and Alleys Within the City of Selma, they could do so at this time. President Williamson asked if there was anyone present to speak *For* or *Against* Vacating Portions of Streets and Alleys Within the City of Selma? There was no one to come forward. President Williamson asked if there was anyone from Concordia College who would like to speak? President Dr. Mendedo, came forward and addressed the Council, and stated to have the said Petition approved by the Council is very important, and would be very much appreciated. Following discussion, a motion was made by Councilwoman Benjamin, and seconded by Councilman Randolph, to approve Resolution #R255-09/10, Resolution of City of Selma Vacating Portions of Certain Streets and Alleys Within the City of Selma. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

APPROVAL OF MINUTES

After approval of the agenda, President Williamson asked for the approval of the minutes of July 13, 2010 regular meeting minutes. A motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve the minutes of July 13, 2010. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

CITIZENS' REQUEST

Ms. Samantha Gomez, Ms. Kylee Jones, and Mr. Jarvis Cleveland (Ms. Julie McGowan)
Re: Project Dance - August 6, 2010

Mr. Marcus Hannah
Re: Dallas County Juvenile Detention Center
During discussion, a motion was made by Councilwoman Newton, and seconded by Councilwoman Keith, to approve placing this Item on the Agenda, to be reviewed for approval as a Budget Line Item for the next Fiscal Year, in an effort to assist with funding for the Dallas County Juvenile Center. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

Ms. Sangerneta Mason
Re: Damage to Property (Corner of Marie Foster Street and L. L. Anderson Avenue - Matter referred to Councilwoman Keith and the Community Development Committee to investigate.)

Attorney Faya Rose Toure'
Re: Police and Political Issues

MAYOR'S REPORT

A. Police Department Reports - June, 2010. Mayor Evans stated to Council that they should have before them a copy of the Police Department Report, for June, 2010, which gives all of the incident report totals by percentages for each Ward, along with a copy of the Loud Noise Statistics. Mayor Evans further stated these reports were prepared by Chief Riley and his Staff, for the Month of June, 2010. Mayor Evans stated the report reflects the "numbers" in terms of the Wards, based on the incidents that occurred. Mayor Evans stated that there were 41 Loud Noise Incident Reports, with 30 Citations issued.

B. Missing Persons Reports and Procedures. Mayor Evans stated to Council that this is an Item that was brought up during our last Council Meeting, with regard to whether or not our Police Officers are following the Law in terms of an individual who may be missing. Mayor Evans further stated that they should have information within their packets as it relates to the Policy in place, as well as, the Procedures that are in place, regarding Missing Persons. Mayor Evans asked Chief Riley to come forward to address the Council, in the event they may have questions. Chief Riley addressed the Council, and stated that we are following the Law, with regard to Missing Persons, and that they go through all of the Procedures when individuals have been reported missing.

C. Update on Traffic Grant. Mayor Evans stated to Council that they should each have before them a copy of an update on the Traffic Grant. Mayor Evans further stated that he had a meeting with Mr. Henderson on yesterday, and that evidently there is some misunderstanding as to what constitutes "Time and One-Half", and evidently our Police Officers have gotten some incorrect information as it relates to this. Mayor Evans stated from the meeting held with Mr. Henderson, he clarified that our Police Officers do not get "Time and One-Half", until they have reached 171 Hours, through this Grant.

D. Update by Dr. Ralph Ioimo. Mayor Evans stated to Council that Dr. Ioimo is here tonight, and that he is "wrapping" up his reporting time with us, and there are some things that he would like to share with the Council. Mayor Evans asked Dr. Ioimo to come forward and address the Council with an update. Dr. Ioimo addressed the Council, and offered a review and update, as it relates to his study and findings with regard to a new Police Facility. Dr. Ioimo stated that they looked at potential facility sites for a new Police Facility, and one that came to mind was the Good Samaritan Facility. Dr. Ioimo also stated that they looked at modifications to the current Facility, or adding on to the Facility; space as needed. Dr. Ioimo stated significant efforts were put forth to obtain funding from potential funding agencies; such as, H.U.D., U.S.D.A., Department of Homeland Security, Office of Community-Oriented Policing, and obtaining assistance from Political Representatives. Dr. Ioimo stated that we need to follow-up with H.U.D. pertaining to the Good Samaritan Building, and determine how it is that we can satisfy their needs and what they want us to do, and if we can get that Building donated to the City; follow-up with U.S.D.A. after the release of the 2010 Census, and that he has been told, after all of the tabulations are in, that if Selma comes in under 20,000 population, they will in fact give us the funding. Dr. Ioimo stated that is where it stands at this point; that he wishes he could have done more for us, but we do have that, and that he is confident that we can build a new facility at some point, in the not too distant future, because he knows where we stand. Mayor Evans stated to Council that, just as Dr. Ioimo has stated, we are going to try and schedule a meeting with A.D.E.C.A., to get some "updating" and guidelines from them, and come back to the Council to discuss what our options are. Mayor Evans and the Council applauded Dr. Ioimo for his work and research on this Project.

E. Resolution #R254-09/10 - Authorization to Amend Contract Agreement with Hogg Engineering Corporation for the Water Avenue Streetscape Utility Project. Mayor Evans stated to Council that they should also have before them Resolution #R254-09/10, Authorization to Amend Contract Agreement with Hogg Engineering Corporation for the Water Avenue Streetscape Utility Project, to include an additional \$15,359.00 to cover the cost of electrical engineering services and technical observation/inspection of project activities. Mayor Evans stated to Council that they did not get this particular Resolution on last Friday, but it is essential, and that he would like to move forward on it. Mayor Evans asked Ms. Charlotte Griffeth to come forward and address the Council, as it relates to Resolution #R254-09/10, to offer an explanation. Ms. Griffeth addressed the Council, and read Resolution #R254-09/10, Authorization to Amend Contract Agreement with Hogg Engineering Corporation for the Water Avenue Streetscape Utility Project, in its entirety. During discussion, it was the consensus of the Council to continue Resolution #R254-09/10, Authorization to Amend Contract Agreement with Hogg Engineering Corporation for the Water Avenue Streetscape Utility Project, until the next Council Meeting.

F. Approval of Payment of \$2,042.86 to the Selma Water Works and Sewer Board. Mayor Evans stated to Council that they should have within their packet, information as it relates to approval of payment of \$2,042.86, to the Selma Water Works and Sewer Board. Mayor Evans further stated to Council that in front of Graystone Restaurant on Highland Avenue, one of our sewer lines broke, just prior to the 4th of July. Mayor Evans stated that the Selma Water Works and Sewer Board, the City of Selma, and Mr. Ray Hogg, were all involved, because of the rain and the pipes shifting somehow. Mayor Evans further stated that Selma Water Works and Sewer Board, and the City of Selma worked on this project as a "team", and there is a joint cost involved, whereby we are asking the Selma Water Works and Sewer Board to pay half, and the City of Selma to pay half. Mayor Evans stated we share that expense because we have some obligations there, and he asked Council's approval to pay the City's cost, in the amount of \$2,042.86 for the Graystone Project. During discussion, a motion was made by Councilwoman Newton, and seconded by Councilwoman Keith, to approve payment of \$2,042.86, to the Selma Water Works and Sewer Board, for our share of the cost of the Graystone Project. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

G. Trash Trailer Schedules and Locations in Wards 4, 3, 2, and 1. Mayor Evans stated to Council that they should have within their packet of information, a list of the locations where the Trash Trailers will be placed in Ward 4. Mayor Evans announced to the Citizens of Ward 4, that if they have trash that they need to get rid of, to please take their trash to those containers in the designated locations where the trash trailers are, so that we can help get our City cleaned up.

H. Recruiting of Block Captains - Adopt-a-Block Neighborhood Clean-Up. Mayor Evans stated to Council that he has been speaking about Block Captains for some time now, and it is very disappointing that only Five (5) people have called in, and said that they would serve as Block Captains, to help clean the trash up, just in their block alone. Mayor Evans stated that he is not going to give up on this, but we do have "volunteers" who have come forward, and stated that they are willing to help us clean up our City. Mayor Evans stated to Council that he would like to target those areas designated by them, that they feel have the greatest need in terms of paper and trash.

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

(1) *Unveiling of Litter and Recycling Signs - July 30, 2010, at 7:30 a.m., Vaughan Regional Medical Center (Medical Office Tower, 1st Floor Classroom).*

(2) *Department Presentations - August 17th and 19th, 2010 - Performing Arts Center. Mayor Evans stated that Citizens are invited to come by, and receive Presentations from our Department Heads, in terms of what we do within the City, to make it a better place.*

(3) *Project on the Bridge - Mayor Evans stated that he met with Ms. Sheryl Smedley (Chamber of Commerce), Members of the Freedom Foundation, Ms. Charlotte Griffeth, Chief Riley, Minister Fortier, and Ms. Gwen Brown, and others, about a week ago, to discuss the upcoming Project scheduled for Friday, August 6th, from 12 o'clock noon until 3:00 p.m. Mayor Evans further stated that he explained to them that in receipt of the information from them, that he would make an appeal to the Alabama Department of Transportation, to see whether or not this meets the criteria by which it allows for the Bridge to be closed, and that they would have a Conference Call, so that everyone would be allowed to be a part of it, and have dialogue. Mayor Evans stated that he spoke with Minister Fortier, and that they are planning to meet on tomorrow, to try to put some things in place. Mayor Evans further stated that in response to a phone call that he had made to Mr. Don Vaughn, the Chief Engineer for the Alabama Department of Transportation, he received a letter, E-mailed to him from Mr. Vaughan, addressing the situation, and he read the letter in its entirety. Mayor Evans stated that he also forwarded a copy of said letter to Minister Fortier, as well.*

(4) *The Track at Memorial Stadium has been completed, and he will be doing a "Walk-Through" on Friday with Mr. Steve Savarese, Executive Director of the Alabama High School Athletic Association, to make sure our Track meets specifications in hopes of in the Spring, bringing the "Track Meet" back to our City.*

(5) *Mayor Evans also reported that Coach Reece is doing fine after having By-Pass Surgery on last week, and moving about a little.*

CITY ATTORNEY'S REPORT

A. Ordinance #O111-09/10 - Traffic Light/Traffic Violation Ordinance. Attorney Nunn stated to Council that Mr. David Jackson, of America Traffic Solutions, Arlington, Texas, along with Mr. Graham Champion of Montgomery, are present tonight, and have been very helpful to the City, and that he would like for them to come forward and address the Council. Attorney Nunn further stated that we presented an Ordinance to the Council during the last Council Meeting, which we have the Legislative Act to allow us to use cameras and to record images of anyone who is running a traffic light. Attorney Nunn stated to Council that Ordinance #O111-09/10, Traffic Light/Traffic Violation Ordinance, was placed on 1st Reading during the last Council Meeting, and that it states the penalties, enforcement and the procedures, for the traffic devices. Mr. Jackson and Mr. Graham addressed the Council to offer an update, and to explain the enforcement of the traffic devices. Mr. Jackson and Mr. Graham also provided a brief overview of their Company, and were available to answer any questions that the Council may have. Mayor Evans stated he was comfortable with it, and it is his recommendation to move forward and take action at tonight's Council Meeting. During discussion, it was the consensus of the Council to continue this Item, Ordinance #O111-09/10, Traffic Light/Traffic Violation Ordinance, until the next Council Meeting.

B. Resolution #R256-09/10 - Authority to Abate and Remove Weeds Declared as Public Nuisance (Weed Abatement, Phase 2). Attorney Nunn stated to Council that what they have before them is Resolution #R256-09/10, Authority to Abate and Remove Weeds Declared as Public Nuisance, Weed Abatement Phase 2. Attorney Nunn further stated that there are 17 properties listed, along with a listing of the Wards that the properties are located within. Attorney Nunn further stated they have been declared a public nuisance by the Council, and the property owners have failed to cut the weeds and grass within their property, and we did not receive any objection within the City Clerk's office. Attorney Nunn stated Resolution #R256-09/10 gives the Public Works Department authority to proceed in cutting the weeds and/or grass on the property. A motion was made by Councilman Bowie, and seconded by Councilman Randolph, to approve Resolution #R256-09/10, Authority to Abate and Remove Weeds Declared as Public Nuisance (Weed Abatement, Phase 2). A roll call vote was taken and the motion passed with a unanimous vote of the Council Members Present.

C. Resolution #R252-09/10 - Authority to Abate and Remove Weeds Declared as Public Nuisance (Weed Abatement, Phase 2). Attorney Nunn stated to Council that what they have before them is Resolution #R252-09/10, Authority to Abate and Remove Weeds Declared as Public Nuisance, Weed Abatement Phase 2. Attorney Nunn stated again this is a list of properties which contain 10 properties, which have been declared a public nuisance by the Council. Attorney Nunn further stated the property owners have failed to cut the weeds and grass within their property, and did not file any type of objection within the City Clerk's office. Attorney Nunn asked Council's consideration of Resolution #R252-09/10, to give the Public Works Department authority to proceed in cutting the weeds and/or grass on the property. A motion was made by Councilman Randolph, and seconded by Councilman Tucker, to approve Resolution #R252-09/10, Authority to Abate and Remove Weeds Declared as Public Nuisance (Weed Abatement, Phase 2). A roll call vote was taken and the motion passed with a unanimous vote of the Council Members Present.

D. Resolution #R253-09/10 - Resolution Declaring Public Nuisance and Immediate Abatement (Weed Abatement, Phase 1). Attorney Nunn stated to Council that what they have before them is Resolution #R253-09/10, Resolution Declaring Public Nuisance and Immediate Abatement, which includes 39 properties on the attached list. Attorney Nunn stated these are properties identified by the Code Enforcement to have overgrown grass on the property, and that this is the beginning stage of declaring the properties a public nuisance by the Council. Attorney Nunn further stated once the properties have been declared a nuisance by the Council, authorization will be given for 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 Councilman Tucker, to approve Resolution #R253-09/10, 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.

E. Special Municipal Election - Update. Attorney Nunn stated again please be reminded that we do have a Special Municipal Election on September 28, 2010. Attorney Nunn stated to Council that we did publish the Notice of Special Election in the newspaper, and qualifying did happen on Monday, July 19th, and as of today, we have two (2) people who have qualified; Mr. John T. Jowers and Attorney Thomas "Tommy" Atchison. Attorney Nunn stated that we are still seeking the approval from the Justice Department, and have been talking back and forth with them on the telephone every day, and hopefully we will get something from them soon. Attorney Nunn further stated the City Clerk will be presenting the Election Officials for the Special Municipal Election at the next Council Meeting.

F. Resolution #R247-09/10 - Recycling Program. Attorney Nunn stated to Council that what they have before them is Resolution #R247-09/10, for a mandatory Recycling Program, which was previously distributed to them. Attorney Nunn stated that he has spoken with Councilwoman Keith, and that they are still researching this Item, and that it will be brought back at the next Council Meeting.

BUSINESS ITEMS:

I. NOISE ORDINANCE

President Williamson stated that this Item has already been discussed, and that they are thankful for the citations that are being issued.

II. AUDITOR'S MANAGEMENT LETTER

President Williamson stated to Councilman Bowie that he is hoping that he and the Administrative Committee will meet, in order to bring back a report at the next Council Meeting.

III. UPDATE ON TEPPER'S BUILDING

President Williamson stated that he is referring this item to Councilwoman Keith, and the Community Development Committee, to see if they can give it encouragement to get it completed.

IV. HOME INVASIONS AND BURGLARIES

Councilwoman Newton stated that she is sad to report that they have had a real crisis in Ward 3, with calls to the Police Department; sadly that they have been having not only burglaries, but home invasions, as well. Councilwoman Newton passed out a Map to the Council Members, as it relates to this, and stated that they are very distressed and concerned about this. Councilwoman Newton stated that they have met with Mayor Evans and Chief Riley, and have come up with a very good action plan, to try and make sure that their neighborhood is safe, and that they are appreciative to them.

V. UPDATE ON RIVERWALK PHASE 1 WALKING TRAIL

President Williamson asked Ms. Charlotte Griffeth to come forward and address the Council, with an update on the Riverwalk Phase 1 Walking Trail. Ms. Griffeth addressed the Council, and offered them an update as it relates to this Item. Ms. Griffeth stated that we have the Trail realignment, and that work has finally begun work on the Riverfront. Ms. Griffeth further stated that the Surveyor has come back down to "re-shoot" the area the other day, just to make sure that all of the Trail is on City Property, and he has verified all of that. Ms. Griffeth stated that they will have another "walk-through" on Thursday, with Mayor Evans, and the Engineers, to make sure that everybody is "happy" before they begin pouring concrete on Thursday.

VI. MUNICIPAL OFFICIALS' TOWN HALL MEETING

Councilman Bowie stated that they will have the Municipal Officials' Town Hall Meeting on Thursday, August 26th, at 6:00 p.m., at the Convention Center. Councilman Bowie stated during this time, Citizens can engage the Council with any questions that they may have.

VII. CITY OF SELMA YOUTH CONFERENCE - JULY 28TH - JULY 31ST

Councilwoman Benjamin stated that the Youth Conference will begin on tomorrow, with a Pre-Conference, and that they will be on their way to Columbiana with the young people. Councilwoman Benjamin further stated with the exception of a "little transportation problem" for the trip on tomorrow, everything is coming along well, and she looks forward to seeing them at the Workshops, on Thursday. Councilwoman Benjamin stated that the "Community Day" is the last day; Saturday, 1:00 p.m. - 4:00 p.m., and everybody is invited to come, at the Selma High School, Baseball Field.

VIII. "TURNING THE TIDE ON YOUTH VIOLENCE" STUDY CIRCLES - JULY 29TH - JULY 30TH

Councilwoman Benjamin stated that for those who are still interested, they have a really good Agenda ready for them, on July 29th at 5:30 p.m., and on July 30th, 6:00 p.m., at the Convention Center. Councilwoman Benjamin stated that some will be "Circle Leaders" and some will be "Panelists", and asked that they please come, and bring someone with them.

IX. WARD 4 STREETS, CURBS AND GUTTERS REPORT

Councilwoman Benjamin stated that Columbus Drive has not been started on; Agee, Church, Dawson and Montague Streets. Councilwoman Benjamin stated that the house on the corner of Lawrence Street has been demolished but the area is not completely cleaned; 1817 Marie Foster Street has been cut by the property owner, however, 1819 Marie Foster Street has been placed on Weed Abatement. The vacant lots on Green Street have now been cut by someone, and that she checked on the hole that was created by the Plumbing Company, on Lawrence Street. Councilwoman Benjamin stated the Trash Trailers will be at the following Ward 4 locations: Woodrow Avenue (Cedar Park School), Marie Foster Street and First Avenue, and Franklin Street and Cloverdale Avenue, on Friday, July 30th at 3:00 p.m., and pick-up time is on Monday, August 2nd at 7:00 a.m., in Ward 4.

X. AMENDMENT TO SMOKING ORDINANCE

Councilwoman Keith stated to President Williamson, that this Item needs to be continued until the next Council Meeting, and that Attorney Nunn will be drafting the appropriate Amendments to that Ordinance.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilwoman Monica Newton, Chairman

No Report.

ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman

No Report.

PUBLIC SAFETY COMMITTEE - Councilman Samuel Randolph, Chairman

No Report.

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 did not receive any discretionary requests tonight.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

No Report.

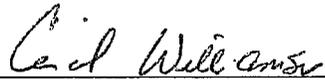
SELMA-DALLAS YOUTH AMBASSADORS - Councilman Corey Bowie, Chairperson

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 Councilwoman Benjamin, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 7:47 p.m.



DR. CECIL WILLIAMSON, *Council President*

ATTEST:



IVY S. HARRISON, *City Clerk*

APPROVED:



GEORGE PATRICK EVANS, *Mayor*