

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

Call to Order

Invocation: Councilman Thomas C. Atchison,
Ward One, Selma City Council

***"MOMENT OF SILENCE"
AND
PRAYER***

***IN MEMORY OF THE VICTIMS OF
SEPTEMBER 11, 2001 ("9/11")
AND
IN MEMORY OF MRS. ELIZABETH BOWERS DRIGGERS
FORMER LONGTIME CITY EMPLOYEE, CITY OF SELMA
COMMUNITY DEVELOPMENT OFFICE/OFFICE OF PLANNING AND DEVELOPMENT
WHO PASSED ON SEPTEMBER 11, 2011***

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, September 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, Councilman Benny L. Tucker, 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.

APPROVAL OF AGENDA

President Williamson asked for the approval of the agenda items. Councilwoman Crenshaw stated that she has Two (2) Items that she would like to add to the Agenda; (1) Council's Approval of Landfill, and (2) Hiring of Council Secretary. President Williamson stated that the discussion of "Hiring of a Council Secretary" will be done tonight during the Administrative Committee Report by Councilman Bowie, as Chairperson. President Williamson then asked Councilwoman Crenshaw when did the Council vote on the approval of the Landfill, she is referencing to be added to the Agenda? Councilwoman Crenshaw answered, and stated that it was stated in the Newspaper. President Williamson stated to Councilwoman Crenshaw that he was not going to put it on the Agenda unless she can give him the site of when they voted to approve the landfill. Councilwoman Crenshaw asked if he was going to place it on the Agenda or not? President Williamson answered, and stated it will not be on there. Councilwoman Crenshaw stated that she would just ask the Mayor. During discussion, a motion was made by Councilman Tucker, and seconded by Councilman Bowie, to approve the agenda items, as written. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote.**

APPROVAL OF MINUTES

After approval of the agenda, President Williamson asked for the approval of the minutes of August 23, 2011 regular meeting minutes. A motion was made by Councilman Atchison, and seconded by Councilman Bjelke, to approve the minutes of August 23, 2011. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

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SELMA CITY COUNCIL MEETING
SEPTEMBER 13, 2011
5:00 P.M.
CITIZENS' REQUESTS

Mrs. Brenda McCary and Mr. Richard Baity
Re: Suicide Awareness

Mr. Robert Williams, Jr.
Re: Waiver of Fee, Performing Arts Center - "National Recovery Month", September 2011 - Celebration in Observance - Wednesday, September 28th - 9:00 a.m. - 1:00 p.m. - Cahaba Mental Health Center. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Benjamin, to waive the fee for the Cahaba Mental Health Center in Observance of the National Recovery Month Celebration. A roll call vote was taken and the motion passed with a unanimous vote of the Council. Mr. Williams, on behalf of the Cahaba Mental Health Center, thanked Mayor Evans and the Council for the Fee Waiver for said Event.

Ms. Lakeesha Purifoy
Re: Temple Gate Music Ministry

Mr. Don A. Bevel
Re: Benjamin A. Sterling Turner Plaque

Former Mayor James Perkins, Jr.
Re: Questions about Dump, Landfill, and Garbage Collections
(A formal copy was given to the City Clerk for the Record.) [Attached]
After the questions were read for the Record, President Williamson stated to Mayor Evans that he would be giving the Questions to him to respond to, which a copy has also been given to the Clerk, to be attached to the Minutes, for the Record.

Ms. Zanetta T. Booker and Mrs. Margie Burk
Re: Studio 4 Dance Center - Invitation to Perform During the Halftime of the 2012 BCS National Championship Game
- New Orleans on January 9, 2012.

MAYOR'S REPORT

PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

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

Proclamation - "National Suicide Prevention Month". Mayor Evans asked President Williamson to come down, for the Presentation of the Proclamation, honoring "***National Suicide Prevention Month***". Mayor Evans, on behalf of himself and the Council, read the Proclamation in its entirety, and asked the Citizens to join them in Proclaiming the *Month of September, 2011*, as "***National Suicide Prevention Month***" in the City of Selma, and urged all Citizens to work to prevent suicide, and to raise awareness and tolerance around all people affected by this tragedy. Mayor Evans and the Council asked all Citizens to join in this "***Observance***", which was received with a "***Round of Applause***" to acknowledge this Recognition! Mayor Evans presented said Proclamation to Mrs. Brenda McCary and Mr. Richard Baity, on behalf of "***National Suicide Prevention Month***". Mayor Evans and the Council thanked Mrs. McCary and Mr. Baity for the work that they do!

Proclamation - "Sickle Cell Disease Awareness Month". Mayor Evans asked President Williamson to come down, for the Presentation of the Proclamation, honoring "***Sickle Cell Disease Awareness Month***". Mayor Evans, on behalf of himself and the Council, read the Proclamation in its entirety, and asked the Citizens to join them in Proclaiming the *Month of September, 2011*, as "***Sickle Cell Disease Awareness Month***" in the City of Selma, and urged all Citizens to support programs that enhance the dignity, equality, and independence of Individuals with Sickle Cell Anemia and other Sickle Cell Conditions. Mayor Evans and the Council encouraged all Citizens to meet the challenge of ensuring that Individuals with Sickle Cell Conditions live lives that are, to the extent possible, unhampered and uncompromised, by their Sickle Cell status. Mayor Evans and the Council asked all Citizens to join in this "***Observance***", which was received with a "***Round of Applause***" to acknowledge this Recognition! Mayor Evans presented said Proclamation to Ms. Margaret Bolling, on behalf of "***Sickle Cell Disease Awareness Month***". Mayor Evans and the Council thanked Ms. Bolling for the work that she does!

Proclamation - "National Disaster Preparedness Month". Mayor Evans asked President Williamson to come down, for the Presentation of the Proclamation, honoring "***National Disaster Preparedness Month***". Mayor Evans, on behalf of himself and the Council, read the Proclamation in its entirety, and asked the Citizens to join them in Proclaiming the *Month of September, 2011*, as "***National Disaster Preparedness Month***" in the City of Selma, and urged all Citizens and businesses to develop their own emergency preparedness plan, and work together toward creating a more prepared society. Mayor Evans and the Council asked all Citizens to join in this "***Observance***", which was received with a "***Round of Applause***" to acknowledge this Observance! Mayor Evans presented said Proclamation to Ms. Rhonda Abbott, Director of Emergency Management, on behalf of "***National Disaster Preparedness Month***". Mayor Evans and the Council thanked Ms. Abbott for the work that she does!

Proclamation - "National Childhood Obesity Awareness Month". Mayor Evans asked President Williamson to come down, for the Presentation of the Proclamation, honoring "***National Childhood Obesity Awareness Month***". Mayor Evans, on behalf of himself and the Council, read the Proclamation in its

entirety, and asked the Citizens to join them in Proclaiming the *Month of September, 2011*, as "*National Childhood Obesity Awareness Month*" in the City of Selma, and encouraged Organizations (Profit and Non-Profit), Localities, Schools, Businesses, Other Entities and the People of our City to "*Observe*" the *Month* with appropriate programs and activities with the goal of promoting healthy eating and physical activity, and increasing awareness of childhood obesity among Individuals of all ages and walks of life. Mayor Evans and the Council asked all Citizens to join in this "*Observance*", which was received with a "*Round of Applause*" to acknowledge this Recognition! Mayor Evans presented said Proclamation to First Lady Mrs. Jeannie Evans, on behalf of "*National Childhood Obesity Awareness Month*". Mayor Evans and the Council thanked Mrs. Evans, along with the "Let's Move! Selma" Committee, for the work that they are doing! Mayor Evans stated that he would like to thank everybody for cooperating, and making the "Let's Move! Selma" Initiative possible.

Proclamation - "National Child Passenger Safety Week". Mayor Evans asked President Williamson to come down, for the Presentation of the Proclamation, honoring "*National Child Passenger Safety Week*". Mayor Evans, on behalf of himself and the Council, read the Proclamation in its entirety, and asked the Citizens to join them in Proclaiming the *Week of September 18 - 24, 2011*, as "*National Child Passenger Safety Week*" and *September 24, 1011* as "*Seat Check Saturday*" in the City of Selma, and encouraged all Parents and Caregivers to take advantage of this Service to ensure that their Children are getting the very best protection. Mayor Evans and the Council urged everyone to help reduce injuries and the tragic loss of life by buckling up themselves, and every child on every trip, every time! Mayor Evans and the Council asked all Citizens to join in this "*Observance*", which was received with a "*Round of Applause*" to acknowledge this important Observance!

**RESOLUTION
HONORING THE LIFE OF
MRS. ELIZABETH BOWERS DRIGGERS**

**MAYOR EVANS AND THE CITY COUNCIL ON BEHALF OF THE CITIZENS
OF THE CITY OF SELMA, ALABAMA,
DO HEREBY EXTEND OUR DEEPEST SYMPATHY
TO THE FAMILY OF MRS. ELIZABETH BOWERS DRIGGERS,
AND PRESENTED A COPY OF THIS RESOLUTION TO HER FAMILY AS AN EXPRESSION
OF THE HIGH REGARD IN WHICH HER MEMORY WILL BE HELD BY THE
MAYOR, CITY COUNCIL, AND THE CITIZENS OF THE CITY OF SELMA, ALABAMA!**

**RESOLUTION HONORING MS. MARTHA MELTON FOR A
"TENNIS CHAMPION EXTRAORDINAIRE" AWARD,
PRESENTED BY COUNCILWOMAN KEITH, ON BEHALF OF THE COUNCIL AND MAYOR,
WHICH WAS RECEIVED WITH "CONGRATULATIONS, AND A "ROUND OF APPLAUSE" TO
ACKNOWLEDGE THIS AWARD! FORMER CITY OF SELMA TENNIS COACH, MR. LOUIS HILL,
WAS ALSO PRESENT, AND MAYOR EVANS AND THE CITY COUNCIL ACKNOWLEDGED HIM,
AND THANKED HIM FOR BEING WITH US DURING THE CITY COUNCIL MEETING.**

**RECOGNITION OF THE SELMA FIRE DEPARTMENT'S EFFORTS
ON BEHALF OF THE 2011 MUSCULAR DYSTROPHY ASSOCIATION BOOT DRIVE,
IN THE AMOUNT OF \$4,192.39, WHICH APPEARS TO BE THE "GREATEST AMOUNT EVER" DONATED
ON BEHALF OF THE SELMA FIRE DEPARTMENT! MAYOR EVANS AND THE COUNCIL, ALONG WITH
CHIEF STOKES, AND THE MUSCULAR DYSTROPHY ASSOCIATION,
THANKED THE SELMA FIRE DEPARTMENT FOR THEIR HARD WORK AND SUPPORT, WHICH WAS
RECEIVED WITH A "ROUND OF APPLAUSE" TO ACKNOWLEDGE THIS RECOGNITION!**

INTRODUCTION OF NEW EMPLOYEES

Mayor Evans stated he would like to recognize and introduce Two (2) New Police Officers, Police Officer Quinton Matthew Benton and Police Officer Joel Anthony Chandler, who will be officially sworn in on tomorrow, September 14th at 11:00 a.m., in the Municipal Courtroom, of the Selma Police Department. Mayor Evans introduced them to the Council, and they were received with a "*Warm Welcome*", by Mayor Evans and the Council, along with Chief Riley, and a "*Round of Applause*"!

A. Report on the City of Selma Youth Conference. A PowerPoint Presentation was given on the "*2011 City of Selma Youth Conference*", which was held on Wednesday, July 27th through Saturday, July 30th. Councilwoman Benjamin thanked everyone for their assistance in making the "*2011 City of Selma Youth Conference*" a success! A "*Round of Applause*" was extended following the PowerPoint Presentation!

B. Monthly Financial Report - August, 2011. Mayor Evans stated to Council that they should have within their information a copy of the Monthly Financial Report for the Month of August, 2011, which reflects that in this last month we had a loss of \$56,327.42 in sales taxes. Mayor Evans stated to Council that this information is being provided to them for their review, and for any questions that they may have, as well. President Williamson stated as can be seen on the Report, we received \$2,206.14 less than we did in the same period last year in the General Fund for the first Eleven (11) months. President Williamson further stated that we received \$2,398.76 less in Lodging Tax than the previous year for the first Eleven (11) months. President Williamson and the Council thanked Mayor Evans for making all of this information available to them for their review.

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

D. Code Enforcement Report - August, 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 August, 2011. Mayor Evans further stated that the Report also reflects the overgrown lots by Wards, abandoned vehicles, dilapidated properties identified, as well as, properties that have been approved to be cut and cleared by the Public Works Department. Mayor Evans stated that Mr. Darryl Moore is here to answer any questions they may have.

E. RDS Tax Revenue Enhancement Agreement - To Provide Revenue Administration Services. Mayor Evans stated to Council that they should have before them Two (2) Agreements; namely, RDS Tax Revenue Enhancement Agreement - Revenue Administration, and RDS Tax Revenue Enhancement Agreement - Business License Discovery/Recovery. Mayor Evans further stated to Council that this is something that that we receive from RDS every year, as it relates to our tax collections and revenue. During discussion, President Williamson asked Mayor Evans if they were charging us the same amount this year, and Mayor Evans answered, and stated that they were. A motion was then made by Councilwoman Crenshaw, and seconded by Councilman Tucker, to approve the Tax Revenue Enhancement Agreement Between the City of Selma and RDS, to provide Revenue Administration Services. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

F. RDS Tax Revenue Enhancement Agreement - To Provide Business License Discovery/Recovery Services. Following approval of the above, President Williamson asked Mayor Evans if it was any reason why the City could not collect its own Business License Fees from Businesses? Mayor Evans deferred the question to Ms. Cynthia Mitchell, City Treasurer, and she addressed the Council and stated that RDS (AlaTax) has the ability to cross-reference and check Businesses who come in to our City, with the different databases and technology, for which we do not have the ability to be able to do. Ms. Mitchell further stated that if they locate a Business who is not paying Business Tax, then they would charge a one-time only percentage fee for that Business, and if there is not anyone found in violation of not paying, then there is no charge. During discussion, a motion was made by Councilman Tucker, and seconded by Councilman Atchison, to approve the Tax Revenue Enhancement Agreement Between the City of Selma and RDS, to provide Business License Discovery/Recovery Services. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

G. Resolution #R264-10/11 - Additional Funding for Certified Local Governments from the Alabama Historic Commission to Survey Historic African-American Neighborhoods. Mayor Evans stated to Council that they should have before them Resolution #R264-10/11, Additional Funding for Certified Local Governments from the Alabama Historic Commission to Survey Historic African-American Neighborhoods. Mayor Evans further stated that Ms. Louretta Wimberly is present at tonight's Council Meeting, and that she has been working to help us with this Grant. Mayor Evans asked Ms. Wimberly to come forward and address the Council in the event the Council has questions. Ms. Wimberly addressed the Council with an overview of Resolution #R264-10/11, Additional Funding for Certified Local Governments from the Alabama Historic Commission, Survey of Historic African-American Neighborhoods. Ms. Wimberly stated approximately more than Ten (10) years ago, she and Mrs. Elizabeth Driggers, then Director of the Community Development Office, worked to get this started, and that part of the Survey has been done, and the Booklets are in the Economic Development Office. Ms. Wimberly stated that what they are now trying to do is complete the Survey in depth; survey of the Voting Rights' area. Ms. Wimberly further stated this is an opportunity for us to bring into this City, more Tourism so that the People can understand the greatest contribution that this City has made for all People, to have the Right to Vote, and that we are also the City that enhanced the Democratic Policy of the United States of America upon which we were founded, and that no other City in the World has ever done that, and that we need to be recognized. Ms. Wimberly stated that she is ready to "walk" with the People who will be hired to do this, and if they find it in their hearts to match this Grant, "I guarantee you, you will not be disappointed with the future that will be brought to this City. Thank you." Mayor Evans and the Council thanked Ms. Wimberly for her Presentation. A motion was made by Councilwoman Keith, and seconded by Councilwoman Benjamin, to approve Resolution #R264-10/11, Additional Funding for Certified Local Governments from the Alabama Historic Commission,

Survey of Historic African-American Neighborhoods, in the amount of \$4,000.00, with the City providing matching funds from remaining funds in the 2010-2011 Grant Match Budget Line Item. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

H. Resolution #R265-10/11 - Appointments to the Selma Downtown Re-Development Authority. Mayor Evans stated to Council that they should have before them Resolution #R265-10/11, Appointments to the Selma Downtown Re-Development Authority, which lists Two (2) names of Individuals that he would like to add; namely, Mr. Johnny Moss, Jr. and Mr. Clint Wilkinson. Mayor Evans further stated that he would like to nominate Mr. Moss and Mr. Wilkinson, retroactive to May 31, 2011, for staggered terms up to Six (6) Years, with certain reappointments beginning in 2014. Mayor Evans asked Council's consideration and approval of the same. President Williamson asked Mayor Evans if it would be possible for the Authority and the other Boards that the Council appoints, to make available to the Council, copies of their Minutes, and information relative to when they will be meeting. Mayor Evans answered and stated that he would ask that the Boards make that information available for the Council. During discussion, a motion was made by Councilman Atchison, and seconded by Councilwoman Keith, to approve the Appointments of Mr. Johnny Moss, Jr. and Mr. Clint Wilkinson, to the Selma Downtown Re-Development Authority, retroactive to May 31, 2011, for staggered terms up to Six (6) Years, with certain reappointments beginning in 2014. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

I. Resolution #R266-10/11 - Award of Contract for the Emergency Sanitary Sewer Replacement Project to Tri-County Construction, Incorporated. Mayor Evans stated to Council that they should have before them Resolution #R266-10/11, Award of Contract for the Emergency Sanitary Sewer Replacement Project to Tri-County Construction, Incorporated, in the amount of \$112,655.60, plus an additional \$9,255.60 for additional work. Mayor Evans stated that this is part of the Project that was discussed before, whereby we ran into some "glitches", and had to go back and re-bid some things. Mayor Evans stated that Mr. Ray Hogg is present at tonight's Council Meeting, and asked that he come forward to address the Council with an explanation. Mr. Hogg addressed the Council and stated during one of the Council Meetings in July, the Council was made aware of an emergency situation behind the Old Wal-Mart Building. Mr. Hogg further stated that there was a section of pipe that is in a deteriorated condition, that can cause some major problems. During discussion, a motion was made by Councilman Atchison, and seconded by Councilman Tucker, to approve Resolution #R266-10/11, Award of Contract for the Emergency Sanitary Sewer Replacement Project to Tri-County Construction, Incorporated, in the amount of \$112,655.60, with an additional amount of \$9,255.60, to repair an additional 214 foot section of pipe that is in a deteriorated condition. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote. During roll call, Councilwoman Crenshaw stated her vote is "no", with reservations that she thinks that whatever has to be done now, the Engineer should have looked at it, and evaluated it with the understanding that they would not have to come back and get extra funds, especially from the General Fund; that her vote is "no".**

J. Update on Roadway Improvements for Griffin Avenue and the Alamo Group. Mayor Evans stated to Council that he has been in contact with Norfolk Southern Management Team again about the Bush Hog situation, and that he has also spoken with Senator Sanders about this situation. Mayor Evans stated that he is calling on Senator Sanders, to assist us with getting Norfolk Southern Railroad Company to move forward with getting the "Bells and Whistles" in place, which was part of this process. Mayor Evans further stated that he hopes by the next Council Meeting he will have a better report on this.

K. Purchase of Church Street and Riverfront Properties. Mayor Evans stated to Council that they should have before them pictures of some properties that he is only giving to them for their review, and that no action is being asked at tonight's Council Meeting. Mayor Evans stated that he will be coming back at the next Council Meeting, with more details with regard to these properties.

L. Appointment of a Voting Delegate and Alternate to the National League of Cities Annual Business Meeting in Phoenix, Arizona on November 12, 2011. Mayor Evans stated to Council that they should have before them information as it relates to Appointment of a Voting Delegate and an Alternate Delegate to the National League of Cities Annual Business Meeting in Phoenix, Arizona on November 12, 2011. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Atchison, to approve and appoint Mayor Evans as the Voting Delegate at the National League of Cities Annual Business Meeting in Phoenix, Arizona on November 12, 2011. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.** It was the consensus of the Council to "Table" the Appointment of an Alternate Voting Delegate to the National League of Cities Annual Business Meeting, until the next Council Meeting.

M. Nomination of Three (3) Persons for Consideration as Members of the County Board of Equalization for the Term, Beginning October 1, 2011. Mayor Evans stated to Council that they should have before them information as it relates to the Nomination of Three (3) Persons for consideration as Members of the County Board of Equalization for the Term, Beginning October 1, 2011. Mayor Evans stated that he is not asking for any action on the part of the Council at tonight's Meeting on this, but for their review and consideration. President Williamson asked the Council to submit names of Individuals that they would like

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to nominate to Councilwoman Benjamin, as Chairperson of the Administrative Committee, and asked that she and the Committee bring back a report on the list of names presented for nomination at the next Council Meeting.

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

- (1) *Congratulations to Jai Miller who was brought up by the Oakland A's!*
- (2) *Employee Benefits Fair – September 14, 2011*
- (3) *Chamber Business After Hours – September 15, 2011*
- (4) *ALDOT Contracting Opportunities Seminar – September, 20, 2011*
- (5) *Diabetes Education Conference – September 21, 2011*
- (6) *Links Walk-a-Thon – September 24, 2011*
- (7) *Seat Check Saturday – September 24, 2011*
- (8) *Integrity Worldwide 5K Run for Kenya – October 1, 2011*
- (9) *Central Alabama Fair – October 3-8, 2011*
- (10) *Tale Tellin' Festival – October 14 -15, 2011*
- (11) *Riverfront Market Day – October 15, 2011*
- (12) *Haunted History Tours – October 21 – 22, 2011*
- (13) *Let's Move! Selma – Walking in the Neighborhoods – October 22, 2011*
- (14) *City-Wide Clean-Up Day – Rescheduled*

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.

Following the above report, Councilwoman Crenshaw made a request for information from the Mayor, and gave a copy of the same to the City Clerk, and asked that the requested information from the Mayor be made a part of the Minutes:

1. Detailed bond spending report showing each bond project by department, the vendor receiving payments of all money, a list of vendors that bided/submitted proposals on each project, and the vendor's name, contract number and date each contract was approved by the City Council. This represents the existing bond report slightly changed to include a few additional items.

2. A report showing all money paid to engineers for bond and non-bond projects from 2004 until present.

3. Documentation on the retirement fund transaction.

4. A report listing all grant funds received by the City of Selma beginning 2004 until present.

Mayor Evans stated to Councilwoman Crenshaw that he will follow-up on the request for information.

O. **Update on Landfill.** Mayor Evans stated to Council that the Landfill that we currently have is not large enough to accommodate everything that we need to place in there. Mayor Evans further stated if we had gone in and placed the limbs and trees in our current Landfill behind the Public Works Department Building, we would have had to shut it down because the capacity of it has reached its point. Mayor Evans stated that he is not blaming anyone for that Landfill that is there now; it was a Cell that was built years ago and we have got to build two (2) more Cells. Mayor Evans further stated that he met with the Committee and chose and made a decision and takes full responsibility for it, to temporarily take trees, limbs, and leaves to this area behind Joy Baptist Church, which is about 200 yards off of Highway 80 West. Mayor Evans stated he gave the order to our Employees to take the trees and limbs, and he takes full responsibility for that. Mayor Evans stated that he is not perfect; that he wishes he had all of the answers, but at the time he thought it was the right thing to do and still believes it was the right thing to do; however, some things have happened since that time, and that is, that some of our Men did pick up other things that they should have not picked up and placed there. Mayor Evans stated that this has been an ongoing problem even when he was on the Council, whereby we would tell our Citizens to distinguish between trash and garbage. Mayor Evans stated our Employees picked it all up; there were mattresses, chairs and other things that were picked up along with garbage. Mayor Evans stated that he had a meeting with the Employees last week to talk about this situation, and they understand that that should not have happened, so he'll have to live with that, that they thought they were doing the right thing because they have always picked it up. Mayor Evans stated that we have got to somehow convey to Citizens that garbage is garbage, and trash is trash. Mayor Evans stated that he does not blame the Employees and takes the blame for it. Mayor Evans stated that the initial intent was to take it there temporarily on our property until the new Cells were built because the Council gave him authority some months ago to go and have that land cleared out for the purpose of building the two (2) new Cells. Mayor Evans stated that Mr. Tyus has done that, and that part is complete, and that we are now waiting on the Bids to go out, so that the new Cells can be built. Mayor Evans stated Mr. Larry Friday is

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here and asked that he come and address the Council. Mayor Evans stated that there is no law against taking trees, limbs and leaves, but when they picked up the other items, this is what has caused the problems. Mr. Friday addressed the Council and stated that Mayor Evans had pretty much covered what he would have had to say to them, that it was pretty much what he said; that we would have been fine if it had just been leaves, trees, stumps, dirt, sand and rocks that they dumped on our own land, which is non-regulated waste, but the other things are what caused the problems, which we did not have a permit to place on our land. Councilwoman Crenshaw stated that, her question is, did we not have it on a permitted land when we put it behind the ball park? Mr. Friday answered, and stated that we did not. Councilwoman Crenshaw asked, do we now have it on permitted land? Mr. Friday answered, and stated that, it is his understanding that it is being removed and taken on Highway 41 which is a permitted Landfill. Councilwoman Crenshaw stated to Mayor Evans that she did not hear him say in the meeting that the Council knew about it, and that the Council approved it, but this is what she saw in the newspaper. Mayor Evans stated that he never said that the Council approved it and gave him authority to go to the ball park property. Mayor Evans stated that he made the decision to take it there because he felt that it was the best place to take it until we could get our Cells built, with the hope that it would not cost us any additional money. Councilwoman Crenshaw stated to Mayor Evans that she thinks that the newspaper needs to retract that statement because that was not what he stated, and was not true. Councilwoman Crenshaw further stated if he had come to the Council for approval, would A.D.E.M. been able to permit us? Mayor Evans answered, and stated that that they would not have permitted us to do anything such as what happened here; that we would have been alright if trees, limbs and leaves only were placed but as a result of what has happened, that is why he is in the situation that he is in. Councilman Bjelke stated to Mayor Evans that he admires him for taking responsibility for it, and that he would like to work with him to clean up this problem, and Mayor Evans stated he appreciates that. Councilman Randolph asked Mayor Evans does he have a report from the Committee that he has put together as it relates to the letter that he received from A.D.E.M.? Mayor Evans answered, and stated that he has been in communication with A.D.E.M. as it relates to this, and that he will be meeting with them, along with Mr. Friday and other Staff, and that they will be going over to answer any questions that they might have. Councilman Randolph stated that he thinks that a Representative from the Council needs to accompany him. Mayor Evans stated that A.D.E.M. has been cooperating with us, and that he will come to the Council if he foresees a necessity for a Council Representative, but at this point, he feels since he is responsible for day-to-day operations, that it is his responsibility to get it cleared, and after he has met with A.D.E.M., he will bring back a report to the Council. Councilwoman Keith asked Mr. Friday if he was working with Mayor Evans with a plan to rectify this in getting this resolved? Mr. Friday answered, and stated that he is working with Mayor Evans, that he will be accompanying him to meet with A.D.E.M. next week, and that, what was done, was a "good faith effort" to relieve the problem, to temporarily place the material out there until we could get the new Cells built, that they were not trying to get over on anybody and were only trying to help, since this was on City Property. Mr. Friday further stated "hindsight is 20-20, and we'll fix it". Councilwoman Keith stated it was mentioned that he had gone to Mayor Evans and implored him not to do that; at the outset he had done that anyway, against his advice, and asked was that true? Mr. Friday answered, and stated that that was not true, that he was asked what can legally go out there? Councilwoman Crenshaw asked Mayor Evans when was he going to give the information to the Council that he had received from A.D.E.M., that it appears to be more than a letter, but an order that is serious and requiring sanctions against the City? Mayor Evans answered and stated that everybody has gone and given their version, but that he tried to explain it the other day, that he was going to give additional information once he had met with them. Mayor Evans further stated that our Attorney has been involved with them, and they have given instructions on how it should be handled. Mayor Evans stated that a mistake was made but never an intent to lie but asked that they allow him to handle resolving this. President Williamson stated that that explains a question that he had about why we did it, and that we started using the other location because the space that we do have left is being used to generate money from others who are using the space. President Williamson asked if we would have put all of our "stuff" in there, would it have filled it up, and we would have had to spend all of this money hauling all of our "stuff" (material)? Mr. Friday answered, and stated that we were running out of "air" space, and that was why we were using the area behind Joy Baptist Church. President Williamson stated that he understands it better now; this allows Customers to continue taking their waste with the little space that we still had out there, so that we could make money a little money. Councilman Bjelke stated that he thinks that they should trust the Mayor and Mr. Friday will resolve it, and he has faith that it will get resolved; that they will move forward on this, and he would like the Council to support this. President Williamson stated to Mayor Evans that he is not obligated, but asked that he bring back a report to the Council once they have met with A.D.E.M. Mayor Evans stated that he will, and that he will certainly keep the Council abreast of what is going on once he has met with A.D.E.M.

CITY ATTORNEY'S REPORT

A. Resolution #R259-10/11 - Weed Abatement (Phase 1). Attorney Nunn stated to Council that they should have before them Resolution #R259-10/11, Weed Abatement (Phase 1), which consists of Two (2) pieces of property that have been identified to have dangerous weeds, as listed herein, via the Code Enforcement Office. Attorney Nunn further stated Resolution #R259-10/11 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 Councilman Randolph, and seconded by Councilwoman Benjamin, to approve Resolution #R259-10/11, Weed Abatement (Phase 1). A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

B. Resolution #R263-10/11 - Weed Abatement (Phase II). Attorney Nunn stated to Council that they should have before them Resolution #R256-10/11, Weed Abatement (Phase II), as it relates to Authority to Abate and Remove Weeds Declared as a Public Nuisance, which reflects approximately Twenty-Six (26) Properties, along with the listing of the Ward. Attorney Nunn further stated Certified Letters have been forwarded to the Property Owners, and they have failed to eradicate the problem by cutting the grass and/or weeds. Attorney Nunn stated at this point and time Resolution #R263-10/11 gives the Code Enforcement Officer authorization to direct the Public Works Department, or a reputable private contractor providing the lowest responsible quote, to abate and remove the weeds and/or overgrown grass from the properties listed herein in Resolution #R263-10/11. Attorney Nunn asked Council's consideration of the same. A motion was made by Councilman Bowie, and seconded by Councilwoman Benjamin, to approve Resolution #R263-10/11, Weed Abatement (Phase II). A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

C. Resolution #R262-10/11, Declaring Certain Properties as Unsafe Structures. Attorney Nunn stated to Council that what they have before them is Resolution #R262-10/11, 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 there is a total of Five (5) Properties, 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. Attorney Nunn asked Council's consideration of the same. A motion was made by Councilman Bjelke, and seconded by Councilman Bowie, to approve Resolution #R262-10/11, 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.

D. Ordinance #O112-10/11 - Weed Abatement Ordinance Amendment. Attorney Nunn stated to Council that if they recall, during our last Council Meeting we presented Ordinance #O112-10/11, Weed Abatement Ordinance Amendment, which will allow us to go through the Weed Abatement Process once, and further allow us to come back within that same current growing season, to undertake further cutting, or removal of said noxious growths without further "Notice", on a monthly basis for the duration of the then current growing season. Attorney Nunn further stated said Ordinance #O112-10/11, Weed Abatement Ordinance Amendment, was placed on 1st Reading during our last Council Meeting, and asked Council's approval of the same. A motion was made by Councilwoman Benjamin, and seconded by Councilman Atchison, to approve Ordinance #O112-10/11, Weed Abatement Ordinance Amendment. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

E. 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 \$15,000.00, for Three (3) claims as listed therein. Attorney Nunn asked Council's consideration of the same. A motion was made by Councilman Bowie, and seconded by Councilman Atchison, to approve payment of the A.M.I.C. Invoice/Statement in the amount of \$15,000.00. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

F. Redistricting Update. Attorney Nunn stated to Council that we do appreciate all of the City Council for going to Montgomery, and that we came out of that meeting with Four (4) versions, and that every one should have received a copy of the same within their mailboxes along with a population summary and the statistics. Attorney Nunn stated that they should have before them Four (4) Maps and it is up to the Council as to how they would want to proceed. Attorney Nunn further stated that we are a little ahead of ourselves in terms of getting everything ready to present for approval this year from the U.S. Justice Department, which our deadline is three (3) months prior to the Election. Attorney Nunn stated after the public hearings, that he, as City Attorney, will have to do the Resolution, and they would proceed to draw the legal descriptions. Attorney Nunn stated that we may want to get an Engineer or someone to assist us with getting the legal descriptions of the Wards, and that once the legal descriptions are prepared, we would present them along with the Maps, to the Council for approval. Attorney Nunn stated after passage of the same, we would present the same to the Probate Judge for filing, and then we would start the submission process to the U.S. Department of Justice. Attorney Nunn stated after approval of the same, we start the process for the preparation of the new Ward Maps, and copies would then have to be forwarded to the Registrar's Office, School Board, the Secretary of State's Office, and the Attorney General's Office. Attorney

CITY ATTORNEY'S REPORT

Nunn stated that we would then start the process to notify the Public of the Ward Changes, to let them know prior to Election Date of Tuesday, August 28, 2011. President Williamson asked Attorney Nunn to provide them with copies of larger-sized Maps of the Four (4) Plans, that can go on the Wall, which he would like placed on the back wall of the Council Chambers, so that People can see them. During discussion, Attorney Nunn stated that we may have to go back to Montgomery, but that these are only drafts, whereby they can only vote on one (1) of the Plans. Attorney Nunn stated that we will come back for Council's consideration on one of the Plans. President Williamson stated to Attorney Nunn that when we get through the Budget, we will come back and follow-up with discussion on the Redistricting.

G. **12th Stone Hearing Update.** Attorney Nunn stated that a Public Hearing was scheduled today at 3 o'clock on 12th Stone, but the Council was polled as it relates to a request made by the Attorney for 12th Stone to "Continue" the Public Hearing until the next Council Meeting, and it was the consensus of the Council to continue to the next Council Meeting. Attorney Nunn further stated that the reason for rescheduling the date was due to negotiating and re-locating the site, and coming back with a proposal to the Council for approval. Attorney Nunn stated if the Council does accept the Proposal then there will not need to be a Hearing, but if the Council does not accept their Proposal, then we will proceed with a Hearing at our next Council Meeting.

H. **Old Y.M.C.A. Building - 217 Broad Street - Letter.** Attorney Nunn stated that we met the other day, and after the Public Meeting, the decision was to proceed on having a hearing on the letter that was drafted and forwarded to Mr. Bolton from the Code Enforcement Office, and that Mr. Bolton had forty-five (45) days to stabilize the Building. Attorney Nunn further stated that that letter was written to Mr. Bolton, on the "nuisance" side, and that the "Historic" side would still have to go to the Circuit Court. Attorney Nunn stated we received a letter back from his Attorney stating that they wanted to appeal the "nuisance" side. Attorney Nunn stated that that is where we are at this present time. Attorney Nunn further stated we were trying to set a hearing up, and that Mr. Calame stated that he will be available on September 29th and October 4th, to proceed with having a hearing on the "nuisance" side of the matter, but that he would have to check with his Client. During discussion, President Williamson asked Attorney Nunn if Mr. Bolton appealed the decision of the Historical Commission to Circuit Court, and asked if there was a time period on an appeal to the Circuit Court? Attorney Nunn answered and stated that he was not sure, but asked to research it to bring back a report to the Council during the next Council Meeting.

I. **Budget.** President Williamson stated that the Mayor is about to give the Council some information as it relates to the Budget, and that he is going to set a Work Session to discuss the Budget for next Tuesday, September 20th, at 5:00 p.m., in the Council Chambers, and then we will consider a vote during the next Council Meeting. President Williamson further stated that at that Work Session we will set a date for the Public Hearing of the Old Y.M.C.A. Building, which would probably be October 4th.

BUSINESS ITEMS:

I. **NOISE ORDINANCE**

President Williamson stated he wanted to remind everybody that we still have a Noise Ordinance in place.

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

This Item was covered during the Attorney's Report. Councilman Bjelke stated we had a meeting on Thursday, which was well attended. Councilman Bjelke further stated, as Attorney Nunn has explained already, we do have things ongoing as it relates to this matter, which is a "work-in-progress". President Williamson stated to Councilman Bjelke that he appreciates him taking the "lead" and assisting Councilman Atchison with this, and hopefully it will be resolved soon.

III. **COMMITTEE ASSIGNMENTS, EFFECTIVE OCTOBER 1ST**

President Williamson stated he passed around a Committee Assignment List that he has gotten back, and that he will make a List to have available at the next Council Meeting, to become effective, October 1st.

IV. **ETHERIDGE STREET**

This Item was covered during the Mayor's Report.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

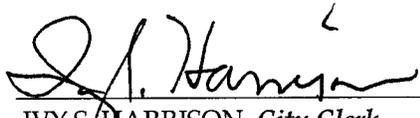
ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilwoman Keith, and seconded by Councilman Bowie, to adjourn this meeting, and by unanimous consent of the Council, this meeting adjourned at 8:46 p.m.



DR. CECIL WILLIAMSON, *Council President*

ATTEST:



IVY S. HARRISON, *City Clerk*

APPROVED:



GEORGE PATRICK EVANS, *Mayor*