

**MINUTES OF THE
SELMA CITY COUNCIL
SEPTEMBER 27, 2011
5:00 P.M.**

Call to Order

Invocation: Councilman Samuel Randolph,
Ward Five, Selma City Council

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, September 27, 2011 at 5:00 p.m.

ROLL CALL

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

APPROVAL OF AGENDA

President Williamson asked for the approval of the agenda items. A motion was made by 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 September 13, 2011 regular meeting minutes. Councilwoman Crenshaw asked Mrs. Ivy S. Harrison, City Clerk, if the information that she had requested, put into the Minutes? Mrs. Harrison answered, and stated that the information was put into the Minutes that she had requested. A motion was made by Councilman Atchison, and seconded by Councilman Bjelke, to approve the minutes of September 13, 2011. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

CITIZENS' REQUESTS

Mr. David Hurlbut
Re: "Demolition" of "Harmony Club"

Mr. Dave Fulford, Jr.
Re: BlackBelt Central Alabama Housing

Mrs. Nancy Bennett
Re: Selma-Dallas County Historic Preservation Society, Incorporated

Mrs. Carolyn C. Bates
Re: Selma Disabilities Advocacy Program, Incorporated

Timberline Services, Incorporated
Re: Landfill and Vegetative Debris Solution
President Williamson stated that he is placing this Item into the "hands" of the Public Works Committee and Councilman Randolph, as Chairperson, and asked that they follow-up with a meeting with the Representatives of Timberline Services, and Mayor Evans.

PRESENTATION OF PROCLAMATION

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

Proclamation - "National Childhood Cancer Awareness Month". Mayor Evans asked President Williamson to come down, for the Presentation of the Proclamation, honoring "*National Childhood Cancer Awareness Month*", and President Williamson asked if Councilman Bowie could come down instead, since he was a part of this Initiative? Mayor Evans answered, and stated that would be fine, and asked Councilman Bowie to come down to be a part of the Presentation. 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 Cancer Awareness Month*" in the City of Selma, and urged all Citizens to join in this important "*Observance*", which was received with a "*Round of Applause*" to acknowledge this Recognition! Mayor Evans presented said Proclamation to Mrs. Cindy Duck, on behalf of "*National Childhood Cancer Awareness Month*".

A. **Resolution #R270-10/11 - Assistance to Firefighters Grant.** Mayor Evans stated to Council that they should have within their information a copy of Resolution #R270-10/11, Assistance to Firefighters Grant, but that he is not asking them to take any action at tonight's Council Meeting since they did not get a copy of it until today. Mayor Evans asked the Council to review and "Continue" this Item until the next Council Meeting, for the purpose of taking action on it at that time.

B. **Update on Landfill.** Mayor Evans stated to Council that they did have the opportunity last week to go over and visit A.D.E.M., to talk about our Landfill, and the illegal dumping. Mayor Evans further stated that he was accompanied by Mr. Larry Friday, our Council President, as well as, Ms. Charlotte Griffeth and Ms. Sarah Sightler, of CDG Engineers & Associates, who worked with the closure of the Landfill on J. L. Chestnut, Jr. Boulevard, and with the Engineering "piece" of the new Landfill. Mayor Evans stated that they had a meeting with about 6 or 7 Representatives of A.D.E.M., to talk about the Landfill. Mayor Evans further stated that they talked about what happened, and addressed the concerns and questions related to the illegal dumping. Mayor Evans further stated that it was a very good meeting, and in the process of meeting, they outlined some things that we need to get back to them as of Thursday, as to how we plan to address the question of cleaning up what was put out there on that Site. Mayor Evans stated that they indicated to us that the only problem they have with the Site, is the fact that it had waste; such as, what was placed there. Mayor Evans further stated, that they stated, if we want to in the future, use that Site for trees, limbs or leaves, we could do so; they have no jurisdiction over that, but the problem came with the fact that there was a mixture of other things in there that shouldn't have been in there. Mayor Evans stated that they are not going to fine us for this; that they feel it was done in "good faith", that they are requesting of us that we get a report back to them as to how we plan to clear the Site up, and create the new Landfill. Mayor Evans further stated that there are things on the old Landfill that we must do on a continuous basis to maintain it; such as, the monthly monitoring, cutting the grass, and monitoring gases that may "seep" from there. Mayor Evans stated that we did address the point that we had some violations prior to that Landfill being opened (the old Landfill) that possibly we will have to address, in the cost of \$7,500.00, that they are going to keep in place, based on some prior violations that occurred on the old Landfill on J. L. Chestnut, Jr. Boulevard which we will address. Mayor Evans further stated that we will file everything as of Thursday, giving them the timeline by which we plan to handle the situation of the illegal dumping. Mayor Evans stated that the question comes up; do we get it all out of there right now and take it to Uniontown which is where we are going now, or do we leave it there until the new Cells are built, and take it into that Cell? Mayor Evans stated that those are the options they gave us, and they will give us a ruling within Two (2) weeks. Mayor Evans further stated that Mr. Larry Friday is here, and asked that he come and address the Council with an overview. Mr. Friday addressed the Council, and stated that we will meet on Thursday, on a Plan, and that they are going to give us a couple of weeks to get in place, what we need to get in place, once they approve of what we plan on doing. Mr. Friday stated that they, of course, will have the final "say so" but we are going to do our "dead level best" to make them happy the first time we come to them with our Plan. Mr. Friday stated to Mayor Evans that he thinks that he covered this very well already, and thinks maybe a "question and answer" session at this point is in order. Councilwoman Crenshaw stated that she just wants to ask a question, because she heard the Mayor say he was moving what is out there now . . . , or "is it still where it is"? Mayor Evans answered, and stated that it is still there as of now, and that we are submitting a proposal to them as of Thursday, outlining the options that they will give us; one of the options is: "Can we leave it there until the new Cells are built whereby we can transfer it to the new Cell as opposed to transferring it to Uniontown, and costing us quite a bit; or, Would they say to us that we need to move it all immediately, and clear the area?" Mayor Evans stated that they did say to us that as long as we go in there and pull all the waste, we could leave the rest there, but waste such as, washing machines, dryers, tires, and lamps will need to start being separated immediately, from other things. Mayor Evans further stated that the question of whether they are going to allow us to wait so that we can move everything to the new Cell is something that they will have to decide on, but in the future we could use that Site for the recycling "piece" that Councilwoman Keith and he had talked about; bringing leaves, limbs, and trees only, for that purpose.

Councilwoman Crenshaw stated to Mayor Evans that she is very interested in the Landfill on J. L. Chestnut, Jr. Boulevard, and asked do we have any violations right now on that Landfill? Councilwoman Crenshaw further stated that she is afraid of the erosion, and that the gas is "settling", she believes. Mayor Evans answered, and stated that Ms. Sightler is working with us on that, and that he has asked Mr. Friday and Mr. Smith to serve as the "Monitoring Team", and that they must check that Site on a monthly basis, to ensure if something like that is happening, we must clear it up immediately. Mayor Evans further stated, at this point, it does exist, and Mr. Friday is the "Expert", and that he relies on him. Mayor Evans stated that we do plan to do the clearing and cutting of grass through this proposal, that we are going to submit to them as to how to get that done. Mayor Evans stated that our Public Works Department can do some of it but because of that hill, our tractors may not be able to cut it, and we may have to "contract" some of that out. Mayor Evans further stated that A.D.E.M. will do the final determination once we submit the "Plan of Operation", in terms of clearing this one out, and opening of the new Cells. Councilman Bjelke asked how much longer did they say it will take to build the new Cells? Mr. Friday answered, and stated that we are going to allow them Sixty (60) days, and that during inclement weather they can not do construction, as he understands it. With no further questions or discussion, President Williamson thanked Mayor Evans and Mr. Friday for this report on the Landfill.

C. Update on Roadway Improvements for Griffin Avenue and the Alamo Group. Mayor Evans stated to Council that he has been in contact with the Gentleman from Norfolk Southern Railroad Company, and that Senator Sanders is calling a meeting between Norfolk Southern and us, to try and see why it is taking so long to complete this Project. Mayor Evans further stated that there was some misunderstanding initially, and he is not sure where it came from, on the part of Norfolk Southern thinking that we were going to ask them to pay for that. Mayor Evans stated that there was never a question of asking them to pay for that; further, that we have the money to pay for it, and he thinks that Senator Sanders cleared that up, which was never an issue. Mayor Evans stated that Senator Sanders is working to try and get this resolved, and hopefully that will happen soon.

D. Purchase of Church Street and Riverfront Properties. Mayor Evans stated to Council that they should have before them copies of information as it relates to the purchase of properties for the Riverfront; namely, 2 Lawrence Street, 901 Church Street, and 900 Tremont Street; Three (3) Lots, in the amount of \$40,000.00, via Community Reinvestment Funds obligated for the Streetscape Project. Mayor Evans asked Ms. Charlotte Griffeth to come forward to address the Council with an explanation of how we are to fund said Purchase. Ms. Griffeth addressed the Council and stated that the cost to purchase said properties for the Riverfront would come from Community Reinvestment Funds which have been obligated from the Streetscape Project, but that A.L.D.O.T. has given us permission to use, and that the remaining funds would come out of the Community Reinvestment Fund Account. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Keith, to approve the purchase of the above-mentioned properties for the Riverfront, in the amount of \$40,000.00, via Community Reinvestment Funds obligated for the Streetscape Project, with remaining funds to come out of the Community Reinvestment Fund Account. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

E. Resolution #R267-10/11 - Establishment of Terms of Office for Members of the Selma Downtown Redevelopment Authority. Mayor Evans stated to Council that they should have before them Resolution #R267-10/11, Establishment of Terms of Office for Members of the Selma Downtown Redevelopment Authority. Councilwoman Crenshaw asked what would be the function of this particular Committee? President Williamson answered, and stated that it is established by Law, and asked Attorney Nunn to provide Councilwoman Crenshaw, and anyone else who would like a copy of the Law and Ordinance establishing many years ago, the Authority's functions. Mayor Evans stated to Council that Resolution #R267-10/11 outlines the terms that they would serve; namely, John Calame, Forrest Hatfield, Ted Henry and Thomas Atchison, to serve as Members for a term of Two (2) years, retroactive to May 31, 2011 to May 31, 2013; Juanda Maxwell, Nancy Sewell and Nancy Smith, to serve as Members for a term of Four (4) years, retroactive to May 31, 2011 to May 31, 2015; and Harold Speir, Johnny Moss, Jr., Clint Wilkinson and Lee Calame, to serve as Members for a term of Six (6) years, retroactive to May 31, 2011 to May 31, 2017. Councilwoman Crenshaw stated to Mayor Evans that she looked at the list of Individuals and that they need to probably start looking at Individuals who own property, or have a business downtown, so that they can know that they are a part of the process. Councilman Atchison stated that he is on this Committee as the Council Representative, and basically this Downtown Redevelopment Authority Board is an incentive program that our Chamber of Commerce or our Planning and Development Office can use to recruit. Councilman Atchison further stated that the Members of the Authority are not in charge of, or authorized to recruit business or investors, but once those investors are found then they are presented to the Authority, and then the Authority has the ability to float bonds and allow for tax incentives on sales tax for construction materials, provided that the project is within the Downtown District; so, that is the best way that he knows how to explain it right now. President Williamson stated that we already have these Individuals as Members, but by the Ordinance they have to serve staggered terms, and that is what Resolution #R267-10/11 is about. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Randolph, to approve Resolution #R267-10/11, Establishment of Terms of Office for Members of the Selma Downtown

Redevelopment Authority. A roll call vote was taken and the motion passed with a majority vote of the Council Members present. There were seven affirmative votes and one abstention. Councilman Atchison abstained from voting.

F. Marie Foster Street Culvert Replacement. Mayor Evans stated to the Council that they should have information as it relates to the Marie Foster Street Culvert Replacement, located just south of Twilley Street at Rangedale Apartments, near Trinity Lutheran Church. Mayor Evans stated to Council that he is not asking that they take any action on this Item at tonight's Council Meeting, because he is not sure where he is going to get the money to pay for this Project. Mayor Evans further stated that he has been watching this situation, and it looks bad, and he also feels it is dangerous. Mayor Evans stated that he would like to come back with this before the Council at the next Council Meeting, with a plan as to how to get this done. Mayor Evans further stated that he has asked Mr. Ray Hogg to review it and help get him some "figures", and if anyone on the Council would like to bring forward some "quotes", that he would like for them to do so also. Mayor Evans stated that what they have before them are "estimates", and that this Project will be bid out. Councilwoman Crenshaw stated that she would like to see us get this done for much less than what is stated in the information that is before them. President Williamson asked Mayor Evans to work on this and bring back at the next Council Meeting, and that if he wants to meet with the Public Works Committee, that will be fine, also.

G. Nomination of Three Persons for Consideration as Members of the County Board of Equalization for the Term Beginning, October 1, 2011. President Williamson stated that he is placing this Item in the "hands" of the Administrative Committee, to give to the Administrative Committee, so that they can bring back some names to the Council.

H. Special Event Application Package for Phoenix Park (For Information Only). Mayor Evans stated to Council that he asked Attorney Nunn and Mrs. Kay Jones, Public Buildings Facilitator, to put together some type of application as it relates to the use of the Phoenix Park. Mayor Evans further stated to Council that they should have before them some Rules and Regulations that govern the use of the Phoenix Park. Mayor Evans further stated that there is no fee to use the Park, but if it is used, there will be a deposit to pay in advance of the use of it, to protect the chairs, tables, and umbrellas that are there. Mayor Evans stated that the Rules and Regulations for the Phoenix Park will be managed by Mrs. Kay Jones and her Staff, and that they will have to go through her office, as is being done with our other Public Buildings that are being rented and used. Mayor Evans stated that the deposit is \$100.00 that they will pay, and will be refunded, provided that there is no damage done to the City's property located there at the Phoenix Park. Mayor Evans further stated that there are some timelines in there as to hours of operations, what is prohibited from being brought within the Park, along with other Guidelines. Mayor Evans stated that the Park is opened up at 7:00 a.m. and closed at "dust dark", and that events can not start before 8:00 a.m., and cannot last beyond 8:00 p.m. Mayor Evans stated we just want to have some protection in place against damage.

I. Police Incidents by Ward Requested by Councilman Greg Bjelke. Mayor Evans stated to Council that Ms. Brenda Smothers is passing out to the Council a copy of the Incident Reports' by Wards, which Councilman Bjelke had requested. Mayor Evans further stated to Council that Chief Riley is here in the event the Council has questions. Councilman Bjelke thanked Mayor Evans and Chief Riley for providing this information to the Council.

J. Payments to Engineering Firms Requested by Councilwoman Bennie Ruth Crenshaw. Mayor Evans stated to Council that they should have before them a copy of the Engineering Payments and Costs for Hogg Engineering and other Engineering Firms, who received proceeds from the Bond, and Non-Bond Projects, from October 1, 2003 through Current (September 26, 2011), which was requested by Councilwoman Crenshaw.

K. Request for Information, Dated September 12, 2011. Mayor Evans stated to Council that they should also have copies before them of all of the information that was requested during last Council Meeting by Councilwoman Crenshaw, which details the bond spending report showing the bond projects via the bond spreadsheet, and relative information, along with a schedule of Federal Expenditures and a report listing all grant funds received by the City, beginning in 2004. Mayor Evans stated that he believes that we have tried to get all of the information to her that she had requested, in her written request. Councilwoman Crenshaw stated to Mayor Evans that, as can be seen, he has it "broken down" for her, and if she has any questions she will notify him. Mayor Evans stated to Councilwoman Crenshaw that she had requested documentation on the Retirement Pension Plan, and asked Attorney Nunn to "hold" the Book up. Mayor Evans further stated to Councilwoman Crenshaw that he will make it available in the City Clerk's Office, in the event she would like to review it there within the City Clerk's Office, and ask that it not be taken from the City Clerk's Office, but reviewed by her, or anyone who wants to. Councilwoman Crenshaw asked Mayor Evans if she wanted something copied, would that be allowed? Mayor Evans answered, and stated that if she would like something copied from the Pension Book, that can be done.

L. FY 2011-2012 Budget Approval. Mayor Evans stated to Council that each of them received a copy of the Proposed Budget for FY 2011-2012, which is a balanced Budget and does reflect roughly a \$17

Million Dollar Revenue Expectancy, and also a \$16 Million Dollar Expenditure, with \$61,803.47 in unappropriated. Mayor Evans further stated, as Mayor, the Mayor is responsible to prepare a Proposed Budget to present to the Council but ultimately the Council has jurisdiction over the funds. Mayor Evans stated that it is the Council's decision to accept or modify the Budget, which he has put together based upon input from the Treasurer, and Department Heads, for the purpose of Council's review, and determining whether or not they want to accept that Budget or whether or not they want to "Continue" it, or modify it to another extent. President Williamson stated he would like a motion either to approve this Budget that we have talked about twice, or to pass a Resolution to "Continue" to operate under our present Budget, and consider the 2012 Budget at some point in the future. Councilwoman Crenshaw asked if they had taken off of the "table" what was discussed earlier as it relates to the Budget in its present form? Councilman Bowie stated that Councilwoman Crenshaw had asked about "raises" for Employees earlier, and asked if they could put that into the Committee for review? President Williamson answered, and stated that they could put it into Committee as of tonight, and amend the Budget as needed, which is done all of the time. Councilwoman Benjamin stated to Mayor Evans that she would like for him to consider looking at the Two (2) different Resolutions that they approved with amounts compared to the copy that she has? Mayor Evans answered, and stated he would look into it. Councilman Randolph stated, as was stated earlier, he thinks that they are doing the Employees an injustice by not giving them a pay raise; "let's find some money for our Employees who haven't had a raise in years – the Police and Fire Departments are the only Departments who received raises. These other Employees are well over due raises and we ought to put our Employees "first" some of the time; they've been at the 'back of the bus' for the past 4 or 5 years". Councilman Randolph further stated that insurance has gone up every year with the exception of this year, and he truly believes that the Department Heads can find some money in their Department to give their Employees a raise. Councilwoman Keith stated that she agrees with what Councilman Randolph says, and thinks the Council should "step up to the plate". Councilwoman Keith further stated that she thinks that they should cut their travel; that she thinks that they should cut their discretionary money by 75%, and that she thinks they should cut their salaries by 50%. Councilwoman Keith stated she thinks that the Council should "step up to the plate" and show the City Employees that they are serious about it, and they want to do what they need to do, to show them that they are important. Councilwoman Keith stated that she will do it; she will take the "hit", and take a "cut". President Williamson stated that we are going to appoint new Committees tonight, and he is placing this into the "hands of the Administrative Committee, and let them see where they can come up with the money, and that would be one of the possibilities. Councilwoman Crenshaw stated that was her question, whether they could continue to operate until they do that because she does not want them to play "number games" and deal with this once it has passed "as is"; that she wants to leave that "door" open. Mayor Evans stated to Council that he thinks it is important that everybody knows that he is certainly not against a raise for anybody, "period". Mayor Evans stated the question is the fact that he did do the numbers based on what it would cost to give roughly 310 Employees, not including the Council, a 3% raise and it would cost \$259,754.00; for a 4% raise, \$346,339.00, and a 5% raise, \$432,924.00. Mayor Evans stated that he does know, but that based on our current budget, unless some more cuts that need to be made are made, we would have to come up with \$259,754.00 based upon a 3% raise. Mayor Evans stated certainly it would impact those person making over \$30,000.00 and also the ones making less than that, it will not impact that much. Mayor Evans stated he certainly supports that, but that he has said all along to Department Heads and Employees over this whole year, that he would love to give them all a raise, but that he needs to make sure that he can find the money to sustain it; that "if I give it to you, I'll have to be able to pay for it every year from now on, and if it don't, that means some cuts somewhere". Mayor Evans stated he does not want to start something that we "can't finish". Mayor Evans further stated the other point that he makes is, if in fact some things happen that we are hoping will happen in the near future, in terms of monies coming into our City, then at that point he will talk to them about the fact that we will be able to give a raise, and that is the "cushion" that he is operating on. Mayor Evans stated if we can get this, and he Prays that it happens, then we can give a substantial raise to all of our Employees and not have to worry about next year, and the year after; "that depends on a lot of things taking place in the near future that that will happen". Mayor Evans stated that this is where he is on that; as Mayor of the City he is supportive of a raise; if we can sustain it, he is supportive of it, 100%. Mayor Evans stated that the Council is responsible for funding, and money, and he just carries out the funding "order" from the Council. During discussion, a motion was made by Councilman Bowie, and seconded by Councilwoman Keith, to pass the FY2011-2012 Budget, and make amendments, which were given to the Council by Mayor Evans, as needed. A roll call vote was taken and the motion passed with a majority vote of the Council. There were six affirmative votes and two nay votes. During roll call, Councilman Randolph stated his vote is "no", because he wants the Employees to get a 3% raise. During roll call, Councilwoman Crenshaw stated her vote is "no" based upon the fact that the real picture to her is that, if you have saved \$300,000.00 on a Pension Plan that actually belongs to Employees, why would not we even consider some of that money to help them get a cost of living; that she thinks that's only fair and equitable.

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

- (1) *Blue Cross/Blue Shield Insurance discussion – October 6, 2011*
- (2) *Let's Move! Selma Walking in the Neighborhoods – October 22, 2011*
- (3) *Integrity Worldwide 5K Run for Kenya – October 1, 2011*

- (4) *Central Alabama Fair – October 3 – 8, 2011*
- (5) *Elected Official/First Responder Forum – October 4, 2011*
- (6) *Tale Tellin' Festival –October 14 -15, 2011*
- (7) *Riverfront Market Day – October 15, 2011*
- (8) *State Legislature Reapportionment Committee Public Hearing – October 18, 2011
at 12 o'clock Noon at the St. James Hotel*
- (9) *Annual Meeting of the Selma Friends of the Trail – October 20, 2011*
- (10) *Haunted History Tours – October 21 -22, 2011*

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.

Mayor Evans stated that Mr. Michael Bragdon, who is the new Director of Purchasing at Bush Hog is here at tonight's Council Meeting, along with other Representatives of Bush Hog. Mayor Evans and the Council stated that they were glad to have them present at our Council Meeting tonight, and extended a "warm welcome".

CITY ATTORNEY'S REPORT

A. **ABC License Application – 12th Stone and Club 49.** Attorney Nunn stated to Council that if they recall had a hearing on the matter as it relates to 12th Stone, and it was Continued to another date. Attorney Nunn further stated to Council that they should have before them a letter from the Wooten Law Firm as it relates to the hearing. Attorney Nunn further stated to Council at this point and time, Mr. Wooten will address the Council as it relates to his initiative in defending 12th Stone. Councilwoman Crenshaw stated that she did read the letter and she has a concern about the moving of one location to another location, and she does not know what occurred in terms of the conversation that made that happen, and that she is trying to get clarity on this. President Williamson stated that he thinks the idea is, after Mr. Wooten speaks, the Council will take action as to whether or not their proposal is accepted, and if not, then we would proceed with the hearing, and then asked Attorney Nunn if his understanding was correct? Attorney Nunn concurred, and stated that he is just here to present his proposal to the Council. Attorney Nunn further stated that Mr. Wooten will speak to the Council about this, but that he would like to present a proposal to the Council that he would like to move on, seeking a re-location. Attorney Nunn stated he is here to offer a compromise, but everything is left up to the Council. Mr. Wooten addressed the Council and stated that what he is presenting to the Council is a relocation of the 12th Stone, in an attempt to compromise and work with the City. President Williamson asked Mr. Wooten, if he was proposing that if they move somewhere else, then the City would not vote on revoking the license; is that the compromise that he is offering? Mr. Wooten answered, and stated that that is one of the aspects, but that they are "open" to any suggestions on "policing" the facility and security for the facility. Councilwoman Benjamin asked what does it change about what has been going on surrounding the Club, with changing the location? Mr. Wooten answered, and stated he thinks changing the location from downtown would help. Councilwoman Crenshaw stated there are Citizens in the new location where he is attempting to re-locate, and in the past she has not voted for that location because of the Citizens, and she is sure Councilman Bowie has had the same concerns. Mr. Wooten stated that they are planning to meet with the Church and the Day Care Owners in that area, to let them know what their plans are for securing the facility, and what is going to be going on there. Mr. Wooten further stated that they are willing to meet with them one-on-one, to take their advice, to come together and work together in solving this matter if there is a problem with the Night Club moving to this location. Councilman Randolph stated to Mr. Wooten that he understands what he is doing, but he has a problem with that "entering" at 19 and drinking, and that we need to stop underage drinking; that it is going to continue to be a problem as long as under the age of 21 is allowed to enter. Councilman Bowie stated that he concurs with Councilwoman Crenshaw, and that some of the concerns have already been expressed to him by Constituents. Councilman Randolph stated to Mr. Wooten that he is trying to be fair, that he hears what he is saying, but we have an Ordinance in place already in terms of how many feet a club can be from a Church, and a School. Councilwoman Crenshaw stated she has a problem with Police patrol, and she would like for the Council and City to take under consideration for the City to be paid a fee to have their Officers to come there at disbursements to make sure that the streets are cleared. Councilwoman Crenshaw further stated that a lot of confrontations start after they have left on the outside, and then the Police are called. Councilwoman Crenshaw stated maybe something can happen with that, with a fee. Councilwoman Benjamin stated that she thinks that this was brought up before, and Chief Riley stated that he just could not do that "piece"; that the Officers are needed in other places. Attorney Nunn stated that they are asking for approval to proceed with making an Alcoholic Beverage License for Club 49, and while that application is going through, they are asking for the revocation hearing be Continued, until a decision is made on the status of this Alcoholic Beverage License. During discussion, a motion was made by Councilwoman Keith, and seconded by Councilman Randolph, to place the Alcoholic Beverage License of Club 49, on 1st Reading. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present. During roll call, Councilwoman Crenshaw stated her vote is "yes" with the understanding that this will not hold to a vote for her on this.

CITY ATTORNEY'S REPORT

Attorney Nunn stated the second item that they are requesting is that the Revocation Hearing to Consider the Business License of 12th Stone be Continued until the Council takes action on the proposed relocation to Club 49. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Benjamin, to approve Continuance of the Revocation Hearing to consider the Business License of 12th Stone. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

Mr. Wooten thanked the Council for allowing him to come before them, to speak on behalf of 12th Stone and Club 49.

B. Resolution #R268-10/11, Declaring Certain Properties as Unsafe Structures. Attorney Nunn stated to Council that what they have before them is Resolution #R268-10/11, 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 Four (4) 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 #R268-10/11, 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.**

C. Historic District Commission - Appeal Time. Attorney Nunn stated to Council that they should have within their packets a letter dated September 23, 2011, addressed to our Council President, Dr. Cecil Williamson, as it relates to Historic District Commission Appeal Time. Attorney Nunn further stated, as stated in the letter, it is his opinion of the Law that any appeal from the Historic Commission would have to be filed within Thirty (30) days from the date of receiving the final decision. President Williamson stated that that time has long since past to appeal to the Circuit Court, and Attorney Nunn concurred with him.

D. Redistricting Update. Attorney Nunn stated to Council that on the back wall are copies of the Ward Maps, and that to the far left, is a Map of the Wards as they stand now. Attorney Nunn further stated the first one next to that one is Plan 1, and Plan 2 is next to it, and across on the other side of the back wall is, Plan 3, Plan 4, and Plan 5. Attorney Nunn stated that Plans 1 and 2 are about the same, with a few minor changes, and then Plans 3, 4 and 5, have a few minor changes. Attorney Nunn stated, as per the Council, we did prepare and present the Maps to be placed on the back wall for review, and that it is up to the Council as to how to proceed at this point and time. Attorney Nunn further stated ultimately the plan is to have one of the Plans adopted by the Council; whether or not it is one of the Plans prepared and presented, or an accumulation of all of the Plans put together into another Plan. Attorney Nunn stated that we do have a little time on our side; we are looking good with our time. President Williamson stated to Attorney Nunn that he realizes that we are going to have to have an opportunity for public input, and with that being said, he is going to start placing on the Agenda for the next couple of months whereby Citizens can come and speak to the Council on behalf of these Plans, and then we may have One (1) or Two (2) Special Called Meetings for discussion of the same. President Williamson further stated that he realizes, too, that the Justice Department would want us to have given opportunities for public input, and Attorney Nunn concurred, and stated that that is "favorable" to the Justice Department. Councilman Randolph stated, as he stated before, he is dissatisfied with Plan 4, because he thinks it is embarrassing to the City for a Council Person to want to draw somebody out of a Ward to keep that person from running against him, and that dissatisfaction is being done to the other Four (4) people that live on that street to make them go all the way on the other side of town to vote, when they are just up the street from a Polling Place. Councilman Randolph further stated that he thinks he needs to write the Justice Department and let them know that they are disenfranchising our people, because that can discourage someone from wanting to vote, and he thinks that is not right. President Williamson stated to the Council that we will have public input in time to discuss each one of these Plans.

E. Resolution #R263-10/11 - Weed Abatement (Phase II). Attorney Nunn stated to Council that they should have before them Resolution #R263-10/11, 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 Keith, 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.**

STANDING COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE - Councilman Corey Bowie, Chairman

No Report.

COMMUNITY DEVELOPMENT - Councilwoman Susan Keith, Chairman

No Report.

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

No Report. President Williamson asked Councilman Bjelke if he would look into the request made by Councilman Randolph, as it relates to a "grass killer". President Williamson also asked Councilman Randolph to meet with Mayor Evans as it relates to the Representatives from Timberline Services, Incorporated, that he would like to see us at least consider the Proposal that they made, which may have some possibilities.

DISCRETIONARY COMMITTEE - President Cecil Williamson, Chairperson

President Williamson stated that we do have Four (4) or Five (5) Discretionary requests on the "Table" for next Council Meeting.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

No Report.

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

Councilwoman Crenshaw made a report.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Bowie, to adjourn this meeting, and by unanimous consent of the Council, this meeting adjourned at 7:30 p.m.



DR. CECIL WILLIAMSON, *Council President*

ATTEST:



IVY S. HARRISON, *City Clerk*

APPROVED:



GEORGE PATRICK EVANS, *Mayor*