

**MINUTES OF THE
SELMA CITY COUNCIL
MARCH 20, 2012
5:00 P.M.**

Call to Order

Invocation: Dr. George Wood, Elder Pastor
Harpel Chapel

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, March 20, 2012 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, 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 Samuel Randolph was absent during roll call, but arrived at 5:56 p.m. Councilman Benny L. Tucker and Councilwoman Bennie R. Crenshaw were absent from the Council Meeting.

APPROVAL OF AGENDA

President Williamson asked for the approval of the agenda items. A motion was made by Councilwoman Keith, and seconded by Councilman Bjelke, 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 February 28, 2012 Regular Meeting Minutes. A motion was made by Councilman Bowie, and seconded by Councilman Atchison, to approve the minutes of February 28, 2012. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

CITIZENS' REQUESTS

Mr. Clifford Hunter and Ms. Annie Montgomery (JOBS Task Force Program, Dallas County Department of Human Resources)
Re: Waiver of Building Usage Fee (*Carl Morgan Convention Center, May 9th - 8:00 a.m. - 12:00 noon*)
Mr. Clifford Hunter and Ms. Annie Montgomery, on behalf of the JOBS Task Force Program and the State of Alabama, Department of Human Resources, made a request of the Selma City Council to waive the Building Usage Fee at the Carl Morgan Convention Center, for the Alabama Department of Human Resources' 16th Annual JOBS Fair on Wednesday, May 9, 2012, which is open to the public. A motion was made by Councilwoman Keith, and seconded by Councilwoman Benjamin, to waive the Building Usage Fee at the Carl Morgan Convention Center, to allow for the Alabama Department of Human Resources' Annual JOBS Fair, on Wednesday, May 9, 2012, and Tuesday, May 8th, to be able to prepare for said Event. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

Ms. Debra McDaniel
Dallas County Board of Education
Re: Fee Waiver for Performing Arts Center

Ms. McDaniel, on behalf of the Dallas County School System, made a request of the Selma City Council to waive the Building Usage Fee at the Performing Arts Center on Wednesday, May 2, 2012, from 5:00 p.m. until 7:00 p.m., for an "End-of-Year" Celebration, as a

Culmination of the Arts that they have had during the school year, to showcase some of their Artists within their School System, as well as, the Community. Ms. McDaniel invited the Council to come and enjoy the Art, and enjoy the celebration of Art in their Schools. A motion was made by Councilman Bjelke, and seconded by Councilwoman Keith, to approve the fee waiver at the Performing Arts Center on May 2, 2012, from 5:00 p.m. until 7:00 p.m., for an "End-of-Year" Celebration, to showcase some of the Artists within the School System, as well as, within the Community. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

Mr. Bill Potter
Selma City Schools
Re: Funding Request for 5th Annual Butterflies & Bridges Run

Mr. Clyde Richardson
Re: The Future of the City of Selma, Entourage Lounge and the Selma Police Department
President Williamson stated that he is placing this matter into the "hands" of Councilman Atchison, Chairperson of the Public Safety Committee.

Leadership Selma-Dallas County, Class XVIII
Mrs. Jessica Hope, Spokesperson on Behalf of Leadership Selma-Dallas County Class XVIII
(Other Members Present: Mrs. Leslie Free, Mrs. Ivy Harrison, Mr. Tim Reeves, and Mr. David White)
Re: Appreciation for Participating at the Inaugural Alabama River Chili Cook-Off Event, Thursday, March 8th

PUBLIC COMMENTS ON REDISTRICTING

No one was present to make public comments.

MAYOR'S REPORT

PRESENTATIONS, RECOGNITIONS, AND INTRODUCTION

**INTRODUCTION OF MILITARY - "INNOVATIVE READINESS TEAM" -
APRIL 29TH - MAY 10TH, WHO ARE IN OUR CITY, VOLUNTEERING AND DOING A LOT OF
RENOVATIONS IN SELMA, AND ALSO IN DEMOPOLIS AND HAYNEVILLE. MAYOR EVANS
STATED THAT THEY WILL BE HERE TO HELP US REVITALIZE OUR CITY, AND THE RIVERFRONT
AMPHITHEATER. PRESIDENT WILLIAMSON AND THE COUNCIL STATED THAT THEY ARE
DELIGHTED TO HAVE THEM HERE, AND EXTENDED A "CORDIAL WELCOME" TO THEM!**

RECOGNITION. Mayor Evans stated to Council that he would like to present and acknowledge the following:

**RECOGNITION OF BOYS AND GIRLS VARSITY TEAMS,
SELMA HIGH SCHOOL
"SAINTS"
AHSAA CLASS 5A
AREA 5 BOYS AND GIRLS BASKETBALL CHAMPIONS!!!
THEY WERE CONGRATULATED AND PRESENTED WITH CERTIFICATES AND
MOVIE THEATER TICKETS FOR THEIR ACHIEVEMENTS.
THEY WERE ALL GIVEN A "ROUND OF APPLAUSE" IN HONOR OF THEIR ACCOMPLISHMENTS!!!**

A. Monthly Financial Report - February, 2012. Mayor Evans stated to Council that they should have within their information a copy of the Monthly Financial Report for the Month of February, 2012. Mayor Evans further stated, as can be seen, Ms. Cynthia Mitchell made a note that "the following changes" have been made to the December, 2011, and January, 2012, Sales Tax Report, and that the amounts reported were the total Sales Taxes Collected before the School Board share was deducted. Mayor Evans asked the Council to review that amended correction that was made by Ms. Mitchell this week. President Williamson stated during the first Five (5) months of this Fiscal Year we are \$98,000.00 ahead in Sales Tax Collections compared to the same Five (5) months last Fiscal Year. President Williamson further stated that the Lodging Tax is up \$5,400.00 during the first five (5) months of this Fiscal Year; so, he thinks both of those are encouraging signs in these difficult economic times. Mayor Evans concurred, and stated "there's no doubt about it".

B. Police Report - February, 2012. Mayor Evans stated to Council that they should each have before them a copy of the Police Report for the month of February, 2012, which outlines every incident in every Ward. Chief Riley was asked to come forward to address the Council in the event that they had any questions. During discussion, Chief Riley was asked to address issues with noise, to try and curtail as much of it as he possibly could, and he stated that he would, along with attention to "concentrated" areas that were mentioned.

MAYOR'S REPORT

C. **Code Enforcement Report - February, 2012.** Mayor Evans stated to Council that they should each have before them a copy of the Code Enforcement Report for the Month of February, 2012. Mayor Evans further stated if there are any questions, Mr. Darryl Moore is here to answer those questions. During discussion, Officer Natasha Rozzell was asked to come forward to address the Council, for questions that the Council had, with regard to Code Enforcement "calls".

D. **Update on Security Camera Placements.** Mayor Evans stated to Council that as they know, each Council Member turned in their information, and that everything is on that list in terms of our City Properties. Mayor Evans further stated that we are going to move forward with getting cameras put up based on the areas that were identified, and that there was nothing on there that was not signed off on by the Council in terms of a camera being in those areas of the Public Buildings that we own. Mayor Evans stated that the cameras are in, and that they will be moving forward in putting cameras in those areas that have been designated by the Council for the purpose of security.

E. **Davis Architects Revised Riverfront Amphitheater Plan.** Mayor Evans stated to Council that during the last Council Meeting they each got a copy of the revised version of a summary of the advantages and disadvantages of the original plan, and the changes based on review by Davis Architects and Consultants, as it relates to the Amphitheater and that "ground", and the question now is, "where do we go from here?" Mayor Evans asked Ms. Charlotte Griffeth to come forward, and further stated that we have monies that have been allocated by ADECA, that if we are not careful, that we are going to lose it if we don't spend it. Mayor Evans asked the Council to give Ms. Griffeth and he, some "guidelines" or help in terms of Council working to approve moving forward with this Project. Ms. Griffeth addressed the Council, and stated we stand to lose the ADECA money in the amount of \$250,000.00, and the ALDOT money, in the amount of \$90,000.00, and that we have to spend it by the end of September, 2012; that we need to spend it about a month earlier than that. During discussion, President Williamson asked the Council to please think about the options that have been presented for the Amphitheater, and that he would be placing it on the Agenda, for a decision at our next Council Meeting.

F. **Resolution #R160-11/12 - Funding for Survey of African American Neighborhoods -Phase II.** Mayor Evans stated to Council that they should have before them Resolution #R160-11/12, Funding for Survey of African American Neighborhoods - Phase II. Mayor Evans further stated that the City of Selma was the recipient of a United States Department of Interior Grant from the Alabama Historic Commission in the amount of \$4,000.00, to survey Historic African-American Neighborhoods. Mayor Evans further stated that the City has begun Phase I of the current Project and anticipates completion by May, 2012. Mayor Evans stated that the City desires to apply for \$5,000.00 in Grant Funds with a \$3,000.00 local cash match to be included in the 2012-2013 Grant Match Line Item, to complete Phase II of the Project. During discussion, a motion was made by Councilman Bowie, and Councilwoman Benjamin, to approve Resolution #R160-11/12, Funding for Survey of African-American Neighborhoods - Phase II. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

G. **Resolution #R161-11/12 - Authorization to Submit Grant Application to ALDOT for FY 2012 Alabama Transportation Rehabilitation Improvement Program.** Mayor Evans stated to Council that they should have before them Resolution #R161-11/12, Authorization to Submit Grant Application to ALDOT for FY 2012 Alabama Transportation Rehabilitation Improvement Program. Mayor Evans stated to Council that the Alabama Department of Transportation (ALDOT) has received funds to address critical needs' projects across the State in an effort to rehabilitate and improve the in-place facilities and in some cases, provide new facilities at locations throughout the State. Mayor Evans further stated that the Program's focus is on essential needs relating to roads and bridges. Mayor Evans stated the City of Selma desires to apply for an ATRIP Grant from ALDOT for the purpose of resurfacing major City streets, and the total estimated construction cost is \$600,000.00. Mayor Evans stated the City desires to seek \$500,000.00 in ATRIP Grant Funds, and provide the required 20% local cash match of \$100,000.00 to be encumbered via the Municipal Gas Tax Fund. During discussion, a motion was made by Councilman Atchison, and seconded by Councilman Randolph, to approve Resolution #R161-11/12, Authorization to Submit Grant Application to ALDOT for FY 2012 Alabama Transportation Rehabilitation Improvement Program, for a total estimated construction cost of \$600,000.00, with \$500,000.00 in ATRIP Grant Funds, and a 20% local cash match of \$100,000.00, to be encumbered via the Municipal Gas Tax Fund. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

H. **Resolution #R162-11/12 - Change Order on Water Avenue Resurfacing and Brick Paving.** Mayor Evans stated to Council that they should have before them Resolution #R161-11/12, Change Order on Water Avenue Resurfacing and Brick Paving. Mayor Evans stated to Council that initially the City completed paving and striping along Water Avenue from Broad Street to Dr. Martin Luther King, Jr. Street, and that additional work is needed to complete this Project. Mayor Evans further stated that we need to repair loose and missing bricks in the St. James Alleyway, add two (2) additional brick crosswalks, and make the curbing at two (2) corners near Riverfront Park, ADA Accessible. Mayor Evans stated that this was thought to be in the original bid but it was not included, and at this point, it is his recommendation to execute a change order

with Asphalt Contractors in the amount of \$26,320.00 for the above-mentioned items, and that the contract expenses be encumbered via the Municipal Gas Tax Account. During discussion, a motion was made by Councilman Randolph, and seconded by Councilwoman Keith, to approve Resolution #R162-11/12, Change Order on Water Avenue Resurfacing and Brick Paving Project in the amount of \$26,320.00, to be encumbered via the Municipal Gas Tax Account. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

I. Resolution #R163-11/12 - Authorization to Submit Grant Application to HUD for FY 2012 Community Development Housing Choice Neighborhoods Planning Grant Application. Mayor Evans stated to Council that they should have before them Resolution #R163-11/12, Authorization to Submit Grant Application to HUD for FY 2012 Community Development Housing Choice Neighborhoods Planning Grant Application. Mayor Evans further stated that this Grant Application will allow us to apply for a HUD Choice Neighborhoods Planning Grant to begin planning for the much needed revitalization of Selma's neighborhoods, and that the total estimated planning cost is \$315,000.00. Mayor Evans stated that we are seeking \$300,000.00 in HUD Grant Funds, to be provided with the 5% local cash match of \$15,000.00. A motion was made by Councilman Bowie, and seconded by Councilwoman Keith, to approve Resolution #R163-11/12, Authorization to Submit Grant Application to HUD for FY 2012 Community Development Housing Choice Neighborhoods Planning Grant Application, in the amount of \$300,000.00 in Grant Funds, and to place the required \$15,000.00 local match in the FY 2013 Grant Match Budget. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

J. Resolution #R159-11/12 - Declaration of an Emergency to Replace the Sewer Main Located at Broad Street and Philpot Avenue. Mayor Evans stated to Council that they should have before them Resolution #R159-11/12, Declaration of an Emergency to Replace the Sewer Main Located at Broad Street and Philpot Avenue. Mayor Evans stated initially we thought the Public Works Department could repair this, but they were unable to do so. Mayor Evans further stated that he has talked with the State Department as it relates to this, and they are going to assist us with \$35,000.00 of the \$70,000.00 that it is going to take to do the Project, and that he has also spoken with ADECA requesting assistance, as well. Mayor Evans asked Mr. Ray Hogg to come forward to address the Council with an explanation of what is needed to take place with this Project. Mr. Hogg addressed the Council, and stated that the Public Works Department does not have the equipment or the Manpower to do a Project such as this; that it is a 10-inch gravity sewer main. Mr. Hogg further stated that it carries everything West of Broad Street, north of First Avenue, all the way to Highland Avenue; it carries a lot of sewage. Mr. Hogg stated that this is a very complicated Project, and that it is going to take a Licensed and experienced Contractor to do it. During discussion, a motion was made by Councilwoman Keith, and seconded by Councilwoman Benjamin, to approve Resolution #R159-11/12, Declaration of an Emergency to Replace the Sewer Main Located at Broad Street and Philpot Avenue, in the estimated amount of \$60,200.00 for the cost of said Construction, and \$9,030.00 for Professional and Engineering Inspection Fees. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

K. Resolution #R164-11/12 Authorization to Enter into a Contract for Funding Towards the 2012 Broad Street Cave-In Repair. Mayor Evans stated to Council that they should have before them Resolution #R164-11/12, Authorization to Enter into a Contract for Funding towards the 2012 Broad Street Cave-In Repair. A motion was made by Councilman Bowie, and seconded by Councilwoman Keith, to approve Resolution #R164-11/12, Authorization to Enter into a Contract for Funding towards the 2012 Broad Street Cave-In Repair. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

L. Marie Foster Street Road Closure. Mayor Evans stated that Marie Foster Street, between Third Avenue and Twilley Avenue, will be closed to all through traffic, which became effective at 8:30 a.m. on this past Friday, March 16th. Mayor Evans further stated that this roadway is being closed for the purpose of replacing an existing drainage culvert, and that the closure will last for a maximum of thirty (30) days. Mayor Evans stated that all Residents will continue to have access to their homes, and asked all other Citizens to "work" with us on this, and find alternative routes until this Project is completed.

M. Proposal for Police Sergeant and Lieutenant/Captain Promotional Exams. Mayor Evans stated to Council that this Item is being "Tabled".

N. Proposal for Fire Captain Promotional Exam. Mayor Evans stated to Council that we have a situation within the Fire Department where a Fireman (Captain) is about to "Retire", and the only way he can be replaced is that another Fireman will have to take a test in order to be qualified to move into the position that the Fireman (Captain) is retiring from. Mayor Evans stated that funding is within the Budget for the Promotional Exam. Mayor Evans asked Fire Chief Michael Stokes to come forward, in the event the Council has questions. President Williamson asked Mayor Evans why can't we use standard examinations; why do we have to have special examinations? Mayor Evans answered and stated that Ms. Valeria Jones, Personnel Director, would be our "expert" on that, and asked Ms. Jones to come forward, and address the Council with answers to questions they have. Ms. Jones addressed the Council, and stated that they negotiated with Decisions, Incorporated, and that they are using a different kind of assessment testing.

President Williamson asked Ms. Jones is there not a national and standard examination now? Ms. Jones answered, and stated that the Fire Department has their own "SOP", and that he can follow-up with Chief Stokes on this. President Williamson asked Chief Stokes if other Fire Departments do this, and does this go back years ago, that they had to do it this way? Chief Stokes answered, and stated to President Williamson that that was correct. Chief Stokes further stated that every paid Department currently uses the same testing, and that most of them are much more expensive than ours. Chief Stokes stated that he does not know that there is a standard test, but that, if he is not mistaken, the test has to be validated now, as a result of a lawsuit that was filed back in 1985, and that's where using an outside agency comes in, in the event that is challenged. President Williamson stated that he just wanted that to be made public, to explain why we have to do it that way, and that he was on the Council when they first began doing this. Councilwoman Keith asked if we were under a mandate? President Williamson answered, and stated that we are, and have been since 1985. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Bjelke, to approve the Proposal for the Fire Captain Promotional Exam. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

O. Voting Delegate Designation for the Alabama League of Municipalities Annual Convention Business Session on Monday, May 21, 2012. Mayor Evans stated to Council that this is an Item that the Council will need to take action on for a Voting Delegate for the Alabama League of Municipalities Annual Convention Business Session on Monday, May 21, 2012. A motion was made by Councilwoman Keith, and seconded by Councilman Atchison, to approve and designate Mayor Evans as the Voting Delegate for the Alabama League of Municipalities Convention Business Session on Monday, May 21, 2012. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present. A motion was made by Councilwoman Keith, and seconded by Councilwoman Benjamin, to approve and designate Councilman Corey Bowie as the Alternate Voting Delegate for the Alabama League of Municipalities Convention Business Session on Monday, May 21, 2012. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

P. Notice of Alabama Immigration Law Compliance Requirements, E-Verify System. Mayor Evans stated to Council that they should have information as it relates to the State of Alabama's Immigration Law, and that we have gone through the compliance requirements of the E-Verify System that everyone must follow. Ms. Jones addressed the Council to further explain the new Immigration Law, and also explained the Two (2) Parts of the Immigration Law; Part 1 deals with Contracts, and Part 2 deals with Personnel, along with the requirements that are involved with the new Immigration Law.

Q. Trash Trailer Locations for March, 2012. Mayor Evans stated to Council that they should have before them a schedule for the Trash Trailer Locations for the Month of March, for Ward Four, Ward Five, and Ward Six; March 23rd - 26th, Ward 6; March 30th - April 2nd, Ward 5; and April 5th - April 9th, Ward 4.

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

- (1) Dallas County First Responders Banquet - April 13, 2012, Carl H. Morgan Convention Center
- (2) Butterflies and Bridges 8K Race and Fun Walk - April 14, 2012, Selma High School
- (3) Battle of Selma - April 26 - 29, 2012
- (4) AHSAA Track Meet - May 4 -5, 2012
- (5) Arts Revive StreetFest - May 4 - 5, 2012
- (6) King Kat Classic Tournament Qualifying Round - June 23, 2012, City Marina
- (7) Mayor's Charity Ball - To Be Rescheduled
- (8) Selma Walton Theater Coming Attractions: Thursday, March 22nd - "Act of Valor" - Last Day; Friday, March 23rd - "The Hunger Games"; Family Movie, Saturday, March 24th - "The Smurfs"
- (9) Pray for Selma Every Wednesday, between the Hour of 10:00 a.m. and 11:00 a.m.

View the City of Selma Calendar at www.selma-al.gov and the Chamber of Commerce Calendar at www.selmaalabama.com for details and upcoming events.

Mayor Evans stated to Council that he did want to mention that he did meet with the Marina Project Group, and that we do now have a plan that he would like to bring before the Council during the next Council Meeting for discussion. Mayor Evans further stated to President Williamson that he would like for the

DISCRETIONARY

President Williamson stated that we did have some Discretionary Requests that were passed around, and the Council Secretary will have those if anyone would like to take a look at them.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Samuel Randolph, Chairman

No Report.

ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman

No Report.

PUBLIC SAFETY COMMITTEE - Councilman Thomas Atchison, Chairman

No Report.

COMMUNITY DEVELOPMENT - Councilwoman Susan Keith, Chairman

No Report.

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

No Report.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

No Report.

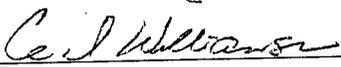
SELMA-DALLAS YOUTH AMBASSADORS - Councilwoman Bennie Ruth Crenshaw, Chairperson

Councilwoman Crenshaw was absent from the Council Meeting.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

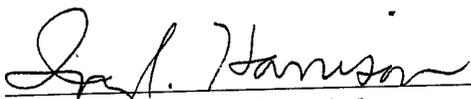
ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilman Bowie, and seconded by Councilwoman Benjamin, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 7:31 p.m.



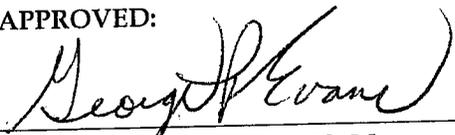
DR. CECIL WILLIAMSON, Council President

ATTEST:



IVY S. HARRISON, City Clerk

APPROVED:



GEORGE PATRICK EVANS, Mayor