

**MINUTES OF THE
SELMA CITY COUNCIL
JANUARY 25, 2011
5:00 P.M.**

Call to Order

Invocation: Reverend Lee Goodwin, Associate Pastor
Second Missionary Baptist Church

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, January 25, 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 Benny L. Tucker, Councilwoman Bennie R. Crenshaw, and Councilman Corey Bowie. Others present were City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant, Ms. Brenda Smothers. Councilwoman Benjamin was absent during roll call, but arrived at 5:05 p.m. Councilman Samuel Randolph was absent from the Council Meeting, due to Military Duty. Mayor Evans 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 Councilman Tucker, 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 January 11, 2011 regular meeting minutes. A motion was made by Councilwoman Keith, and seconded by Councilman Tucker, to approve the minutes of January 11, 2011. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

CITIZENS' REQUESTS

Mr. Dave Fulford
Re: Housing Initiative

Mr. Sam Walker
Re: Support for Bridge Crossing Jubilee

MAYOR'S REPORT

(In the absence of Mayor Evans, the Mayor's Report was presented by the Mayor's Executive Assistant, Ms. Brenda Smothers.)

LONGEVITY PINS AND CERTIFICATES

Ms. Smothers, in the absence of Mayor Evans, asked President Williamson to come forward and present Certificates of Service and Longevity Pins to the following employees: Police Officer Micah Hale, Selma

Police Department, *Five Years of Service* to the City of Selma; Ms. Jill Melton, Selma Police Department, *Ten Years of Service* to the City of Selma; and Fireman Franklin Edwards, Selma Fire Department, *Ten Years of Service* to the City of Selma. President Williamson and the Council, thanked all of the Employees for their Years of Dedicated Service to the City of Selma, and acknowledged each of them with Appreciation and Gratitude. They were all given a "Round of Applause".

A. Resolution #R165-10/11 - Award of Contract for Public Works' Department Uniforms to G & K Services. Ms. Smothers stated Resolution #R165-10/11, Award of Contract for Public Works' Department Uniforms to G & K Services came up during the last Council Meeting, but was "Tabled". Ms. Smothers stated to Council that Mr. Tommy Smith, Public Works Director, is present tonight in the event that the Council has questions. Ms. Smothers further stated said Resolution #R165-10/11 is being brought back up at tonight's Council Meeting for consideration. President Williamson stated that he had asked last time about the \$228.00; since then it is his understanding that that amount is for all of the Uniforms for that Department, per week, and asked Mr. Smith if he was correct about that? Mr. Smith replied, and stated that that is correct. During discussion, a motion was made by Councilman Bowie, and seconded by Councilwoman Keith, to approve Resolution #R165-10/11, Award of Contract for Public Works Department Uniforms to G & K Services, in the amount of \$228.00 weekly for a complete unit. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

B. Resolution #R169-10/11 - Authorization to Enter Into Agreement with Galbraith and Associates, L.L.C., To Perform Administrative Services for the City of Selma Amphitheatre Construction Project. Ms. Smothers stated to Council that Resolution #R169-10/11, Authorization to Enter Into Agreement with Galbraith and Associates, L.L.C., to Perform Administrative Services for the City of Selma Amphitheatre Construction, was presented to them during the last Council Meeting, but is being brought back to them tonight with more information, including the Contract, in the amount of \$ 50,000.00. Ms. Smothers stated Ms. Charlotte Griffeth is here tonight in the event the Council has any questions. During discussion, a motion was made by Councilwoman Keith, and seconded by Councilwoman Crenshaw, to Table this Item, to give Community Development the opportunity to meet. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were six affirmative votes and one nay vote. Councilman Tucker cast a nay vote. President Williamson stated that we will Table this until the Mayor gets back, and go from there.**

C. Resolution #R170-10/11 - Authorization to File Application for the 2011 Summer Food Program. Ms. Smothers stated to Council that they should have before them Resolution #R170-10/11, Authorization to File Application for the 2011 Summer Food Program. President Williamson stated that he thinks they all received information as it relates to this within their packets. A motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve Resolution #R170-10/11, Authorization to File Application for the 2011 Summer Food Program. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

D. Reminder, and Announcements. Ms. Smothers stated she would like to announce and advise the Council of the following:

(1) *Placement of Trash Trailers in Ward 3 - January 28 - 31, 2011*

(2) *"State of the City" Address - February 10, 2011 (Tentatively)*

CITY ATTORNEY'S REPORT

A. Ordinance #O105-10/11 - Amendment to Section 5(4) of Ordinance No. 66-25, Known as the Parade Ordinance. Attorney Nunn stated to Council that they should have a copy of Ordinance #O105-10/11, Amendment to Section 5(4) of Ordinance No. 66-25, known as the Parade Ordinance, within their packet of information, which was just revised, and that what he was passing out to them now is a copy of that revised copy. Attorney Nunn further stated during the last Council Meeting, Chief Riley came before the Council, and discussed increasing the fee of our parade permits from \$10.00 to \$50.00, and reimbursement of costs associated with events. Attorney Nunn stated that the City has acted on both of these and that we are asking for their cooperation, Items, but in going back and reviewing our Ordinance, it is in Ordinance form already, and our Code of Ordinances has been Codified to reflect the \$10.00 fee. Attorney Nunn further stated in order to revise an Ordinance we must do it via an Ordinance, and what the Council has before them now deals with the increase of fees from \$10.00 to \$50.00 for a Parade Permit. Attorney Nunn stated that at this point and time, the Council can place said Ordinance on First Reading, to be considered at the next Council Meeting for approval. A motion was made by Councilman Tucker, and seconded by Councilwoman Keith, to place Ordinance #O105-10/11, Amendment to Section 5(4) of Ordinance No. 66-25, Known as the Parade Ordinance, on 1st Reading. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

B. Ordinance #O106-10/11 - Consumption of Alcohol Beverages Brought or "Brown-Bagged" On the Premises of Businesses Without Alcohol Beverage Retail Licenses. Attorney Nunn stated to Council that Ordinance #O106-10/11, Consumption of Alcohol Beverages Brought or "Brown-Bagged" on the Premises of Businesses Without Alcohol Beverage Retail Licenses, came up during our discussion last week as it relates to the individual businesses being allowed to bring their own alcohol (B.Y.O.B.) to events; namely, the Club, Party or whatever the case may be. Attorney Nunn further stated that Ordinance #O106-10/11 prevents: (1) anyone from bringing alcoholic beverages onto the premises of a business; (2) prevents the owner (operator, manager, etc.) from bringing retail alcoholic beverages on the premises of said business, without an Alabama Alcoholic Beverage Control Board On-Premises Retail Alcoholic License; and (3) prohibits anyone from consuming any type of alcoholic beverage on the premises of said business. Attorney Nunn stated that they did put an exception for "weddings" in there which is listed under "social functions", in Section 5 of said Ordinance, which states: (1) the alcohol must be provided at no cost to the guest(s) at the "social function"; (2) no admission shall be charged to guest(s) for entry onto the premises unless the full admission price is to go to a bona fide charitable organization, and admission must be by *written invitation only*; (3) a no cost permit must be obtained from the business license office at least 3 business days prior to a social function with unlicensed alcohol distribution, for us to determine whether or not someone is trying to "skirt" through and avoid getting a license; and (4) no person shall receive more than four social function alcoholic beverage permits during the calendar year. Attorney Nunn stated if they refer back to Section 1, the provisions of this does not apply to private residences and their premises, including apartments, hotels and motels; it only applies to businesses. Attorney Nunn further stated Sections 6 and 7 give the City permission and authority to go out and inspect these sites for compliance. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Keith, to place Ordinance #O106-10/11, An Ordinance Regulating the Consumption of Alcohol Beverages Brought Or "Brown Bagged" On the Premises of Businesses Without Alcohol Beverage Retail Licenses, on 1st Reading, with the understanding that they will place it into the hands of Public Safety, and brought back to the Council for action. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

C. Security Requirements for Night Clubs, Lounges, Etc. Attorney Nunn stated to Council that this Item was discussed during our Crime Meeting last week, as it relates to Security Requirements for Night Clubs, Lounges, Etc. Attorney Nunn further stated he just wanted to inform the Council that they are working on some type of Ordinance to bring before the Council. Attorney Nunn stated that we have contacted the League of Municipalities and are awaiting advice from them. Attorney Nunn further stated that he has also contacted several Municipalities that require safety plans to be presented to Cities. During discussion, President Williamson and the Council asked Attorney Nunn to research this Item, to see if something is already in place on this for the City.

D. Resolution #R171-10/11 - Condemned Property. Attorney Nunn stated to Council that what they have before them is Resolution #R171-10/11, Condemned Property. Attorney Nunn further stated Resolution #R171-10/11 deals with dilapidated houses; a total of Four (4) properties that have been classified as "dangerous buildings" and/or a "nuisance" under the Code of Ordinances of the City of Selma. Attorney Nunn stated this is the initial stage, which gives the City Clerk, 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. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Benjamin, to approve Resolution #R171-10/11, Condemned Property. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

E. Resolution #R172-10/11 - Reimbursement of Fees for Parades and Special Events. Attorney Nunn stated to Council, that this is the second Item that Chief Riley brought before the Council during its last Council Meeting, for the costs associated with his Department. Attorney Nunn further stated that Resolution #R172-10/11 establishes a process for payment and/or reimbursement of costs associated with the consumption or use of said public resources as a result of the congregation of people and/or the planned event in the City of Selma. Attorney Nunn stated that Resolution #R172-10/11 states that any organizer/applicant of a parade or special event in the City of Selma requiring the expenditure of public resources as determined by the City of Selma including, but not limited to, police, fire security, sanitation and traffic control shall be required to make payment to the City for such costs of services as determined by the City, prior to the granting of said permit for such event. Attorney Nunn further stated; (1) "Parade" shall mean any march, race, procession or assembly of persons which may include animals, vehicles, or any combination thereof which is to assemble or travel in unison upon any street or sidewalk of the City which does not comply with normal or usual traffic regulations or controls; and (2) "Special Event" shall mean any preplanned single gathering, event or series of related consecutive daily gatherings or events expected to draw citizens, visitors, participants or spectators being proposed to be held on public property within the City of Selma. Attorney Nunn stated he thinks this is what Chief Riley brought before the Council during our last Council Meeting, and we have just reduced it to writing. Councilwoman Crenshaw stated it is her understanding that some money was paid for a parade permit when the Ordinance was not in effect, which raised the fee to \$50.00, and asked would it be recommended that they get a refund of the money, that was paid in excess of the \$10.00? Chief Riley answered, and recommended to Councilwoman Crenshaw that they contact the Mayor's office, to discuss the matter of a refund of their money, and taking care of the same.

Councilwoman Crenshaw stated, for the record, if it was not in effect at that time, then they would be due their refund. During discussion, a motion was made by Councilwoman Keith, and seconded by Councilman Tucker, to approve Resolution #R172-10/11, Reimbursement of Fees for Parades and Special Events. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

F. Election Calendar - Update. Attorney Nunn stated to Council that we did the Submission to the Justice Department as required, and that the same was forwarded on January 12th. Attorney Nunn further stated that the Justice Department has received the Submission, and that we will await to hear back from them. Attorney Nunn stated that they have Sixty (60) days to rule and give Pre-Clearance on the Special Election, which runs from January 12th, and will expire on March 12th.

BUSINESS ITEMS:

I. NOISE ORDINANCE

President Williamson stated as a "reminder", we still have a Noise Ordinance in place.

II. LEAVES ORDINANCE

President Williamson stated that we "touched" on this last time during the Council Meeting, and it was actually adopted in April of 2005. President Williamson read a section of the Minutes of April, 2005, and stated that this has actually been an Ordinance since 2005, that Citizens have to "bag" their leaves. President Williamson further stated that it is his understanding that we are going to give people some notice, but that we are going to start enforcing the Leaves Ordinance. President Williamson asked Ms. Smothers if his understanding is correct? Ms. Smothers answered, and stated that that is correct, and that the Mayor has "drafted" a letter, especially to businesses and landscape companies, notifying them that we have a Leaves Ordinance on the "Books", that we are going to strictly enforce, and we are asking for their cooperation.

III. TOWN HALL MEETING: YOUTH VIOLENCE - FEBRUARY 15TH, 6:00 P.M. - CONVENTION CENTER

Councilwoman Benjamin stated to Council that the Town Hall Meeting on Youth Violence is February 15th, at 6:00 p.m., at the Convention Center.

IV. "TURNING THE TIDE ON YOUTH VIOLENCE" PLANNING COMMITTEE TRAINING AND MEETING ON JANUARY 31ST, AT THE CONVENTION CENTER

Councilwoman Benjamin stated that the Planning Committee Training for "Turning the Tide on Youth Violence" is set for Monday, January 31st, at 6:00 p.m., at the Convention Center, and that the Steering Committee will meet thirty minutes before the Training, at 5:30 p.m. Councilwoman Benjamin further stated that this is the "Children and Families" Committee in conjunction with the Dallas County Extension Agency.

V. WARD 4 COMMUNITY DEVELOPMENT

Councilwoman Benjamin stated that this Item will be discussed when the Mayor gets back.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Benny Tucker, Chairman

Councilman Tucker made a report.

ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman

Councilman Bowie stated, for the record, that the Administrative Committee will meet on Friday, January 28th, at 3:00 p.m., in the Council Chambers, to review the 25 Applicants who applied for the Administrative Assistant position. Councilman Bowie further stated that they will start interviewing on Tuesday, February 1st. Councilman Bowie stated that all Council Members are "welcome" to the Interview Process.

PUBLIC SAFETY COMMITTEE - Chairperson To Be Announced

COMMUNITY DEVELOPMENT - Councilwoman Susan Keith, Chairman

Councilwoman Keith made a report.

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

President Williamson stated that Councilman Randolph is still on Military Duty, and is unable to be with us tonight.

DISCRETIONARY COMMITTEE - President Cecil Williamson, Chairperson

President Williamson stated that he passed the Discretionary Funds' Forms around to each of them, and asked that they circulate them back around to him, once they sign them.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

No Report.

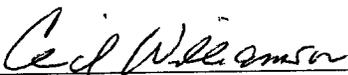
SELMA-DALLAS YOUTH AMBASSADORS - Councilwoman Bennie Ruth Crenshaw, Chairperson

Councilwoman Crenshaw made a report.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

ADJOURNMENT

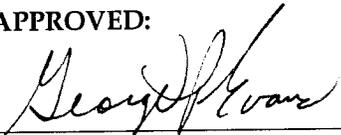
There being no further business to come before the Council, a motion was made by Councilwoman Keith, and seconded by Councilwoman Benjamin, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 6:23 p.m.



DR. CECIL WILLIAMSON, *Council President*

ATTEST:


IVY S. HARRISON, *City Clerk*

APPROVED:


GEORGE PATRICK EVANS, *Mayor*