

**MINUTES OF THE  
SELMA CITY COUNCIL  
DECEMBER 30, 2008  
5:00 P.M.**

Call to Order

Invocation: Reverend Lee Goodwin, Associate Pastor  
Second Baptist Church

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, December 30, 2008 at 5:00 p.m.

**ROLL CALL**

The following members were present during roll call: Council President Dr. Geraldine Allen and Council members Dr. Cecil Williamson, Dr. Monica Newton, Benny L. Tucker, Samuel Randolph, Bennie R. Crenshaw and Corey Bowie. Others present were Mayor George Evans, City Clerk Lois Williams, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell and the Mayor's Executive Assistant Brenda Smothers. Councilwoman Keith was absent during roll call, but arrived immediately after at 5:06 p.m. Councilwoman Benjamin was absent during roll call, but arrived at 5:18 p.m.

**APPROVAL OF AGENDA**

President Allen asked for the approval of the agenda items. A motion was made by Councilman Tucker, and seconded by Councilman Bowie, to approve the agenda items as written. **The motion was carried with a unanimous (show of hands) vote of the Council.**

**APPROVAL OF MINUTES**

After approval of the agenda, President Allen asked for the approval of the minutes of December 9, 2008 regular meeting minutes. A motion was made by Councilman Tucker, and seconded by Councilman Bowie, to approve the minutes of December 9, 2008. During discussion, a concern that Councilwoman Keith had as it relates to when a Council member leaves the Chamber, and how it is recorded in the minutes was discussed, President Allen stated she would like to ask the City Clerk if she would be more consistent with recording the minutes as it relates to who leaves the Council Chambers. **The motion carried with a majority (show of hands) vote of the Council. There were eight affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote.**

**CITIZENS' REQUESTS**

Judge Robert Armstrong and Mr. Clarence Smith  
Re: Dallas County Children's Policy Council

Mr. Matt Wynalda and Mr. Shawn Black  
Re: Dallas County Children's Policy Council - TEAM Mentoring Program

Mr. James Durry  
Re: The Brown Bag Program (Ward 8)

Mr. Edward Shaw, Mr. Albert Albritton, Jr., and Ms. Inez Woods  
Re: TrustBuild

Mr. Larry Heard  
Re: Announcement of Veteran's Resources

Bishop Robert Pettus  
Re: Macedonia Community Development Corporation

Mr. Bruce Holmes  
Re: Issue Related to the Selma City School Board President

Ms. Sherette Spicer  
Re: Status of Committee to Re-Name Jeff Davis Avenue to J. L. Chestnut Boulevard

**MAYOR'S REPORT**

A. **Crime Statistics in the City.** Mayor Evans stated that on last night Police Chief Riley called him as it relates to the shooting that took place on last night. Mayor Evans further stated that he stated to Chief Riley that they needed to go on air at the radio station to discuss this, and they both agreed to meet at 7:30 a.m. Mayor Evans also stated that he and Chief Riley want to inform the citizens that they are not going to allow things of this nature to take over our City. Mayor Evans stated they recognize the fact that crime is every where, and that Police Officers cannot be present during every crime but that he feels the Police Officers are doing an outstanding job and working real hard to combat crime. Mayor Evans further stated they will do everything to get the criminals behind bars through the court system and the District Attorney's Office, to make sure that they will not be a threat to the citizens of Selma.

B. **Proposed 35-Hour Work Week Change for Employees.** Mayor Evans stated that he has been working hard with all of the Department Heads and Employees in an effort to address and find a way to meet the budget, so as to not reduce jobs any more than he has to. Mayor Evans further stated our funds are low, and that our monies come in between December and March, and from that time money has to last us through next December. Mayor Evans stated this proposed change will go into effect on January 20, 2009. Mayor Evans further stated it is proposed that the Department Heads will take a 12.5% reduction in their salaries, and that the Council members will take a 12.5% reduction in their salaries, as well. A motion was made by Councilman Williamson, and seconded by Councilman Bowie, to take a voluntary reduction in their salary of 12.5%. Councilwoman Crenshaw stated she takes issue with this, and does not want her percentage cut to go back to the General Fund that could have been saved had the bond passed but that she wants it to be earmarked to a 501-C non-profit organization of her choice. **The motion carried with a majority (show of hands) vote of the Council. There were seven affirmative votes and two nay votes. Councilwoman Crenshaw and Councilman Tucker each cast a nay vote.**

C. **Mayor's Daily Crime Report.** Mayor Evans, for informational purposes, provided the Council with a copy of the Daily Crime Report as of December 10, 2008.

D. **4<sup>th</sup> of July – Fireworks Show.** Mayor Evans stated that he is providing information to the Council as it relates to costs and expenses for the Council to review. Mayor Evans further stated that there is plenty of time to take a look at it, and he will come back before the Council with his recommendation.

E. **Replacement of Public Safety Annex Building Roof.** Mayor Evans stated he and Mrs. Kay Jones have not received any proposals back on the Annex Building Roof Replacement, and that Mrs. Jones has spoken to several contractors who promised that they would forward them to her on yesterday, but as of today, they have not. Mayor Evans further stated he had also spoken with Chief Riley, and it is their plan to move forward on this matter.

F. **Resolution #R156-08/09 – Riverfront Walking and Bike Trail.** Mayor Evans asked Mrs. Patti Sexton to come forward and address the Council as it relates to Resolution #R156-08/09, which requires the contract with Gresham, Smith and Partners to be amended and increased in the amount of \$14,535.00, for upgrading the existing plans for the project. Mrs. Sexton addressed the Council, and read Resolution #R156-08/09 in its entirety. A motion was made by Councilman Randolph, and seconded by Councilman Tucker, to approve said Resolution #R156-08/09, which authorizes payment for the \$14,535.00 increase via the Community Reinvestment Money Market Account. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

**CITY ATTORNEY'S REPORT**

A. **Ordinance #O105-08/09 – Ticket Tax – Motion Picture Theater.** Attorney Nunn stated to Council if they recall Ordinance #O105-08/09 had been placed on 1<sup>st</sup> Reading, and that there was some discussion as it relates to amending it, to include that the funds would be restricted and earmarked to go to business incentives as a means of retention of businesses. Attorney Nunn further stated the incentives would come from the One Dollar (\$1.00) sales tax. Attorney Nunn stated that there would not be any subsidizing. During discussion, a motion was made by Councilman Tucker, and seconded by Councilman Randolph, to approve and adopt said Ordinance #O105-08/09, which imposes a privilege or license tax of One Dollar (\$1.00) per ticket sold by any motion picture theater business in the City. **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. Councilman Williamson cast a nay vote.**

B. **Resolution #R155-08/09 – Purchase of Blackberry and/or Cell Phones by Former City Employees.** Attorney Nunn stated to Council that what they have before them now is Resolution #R155-08/09 which represents former employees who desire to purchase their cell phone and/or blackberry from the City of Selma at a depreciated value of the cost and be allowed to retain the same number. A motion was

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made by Councilwoman Crenshaw, and seconded by Councilman Bowie, to approve said Resolution #R155-08/09 to allow a former employee to purchase his/her blackberry at a depreciated value of costing the amount of \$50.00 and his/her cell phone at a depreciated value of cost in the amount of \$20.00 per phone. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

C. **Memorandum of Agreement - Gail Hughes and Joe Brandon Weaver - City Marina.** Attorney Nunn stated that this Memorandum of Agreement represents an agreement between the City of Selma, and Gail Hughes and Joe Brandon as it relates to the City Marina, and the operation of a Concession Restaurant. During discussion, it was a consensus of the Council to table this item at this time, until the Council can meet with Ms. Hughes and Mr. Weaver.

D. **Selma-Dallas County Chamber of Chamber - Contract for Services.** Attorney Nunn stated that the Council should have before them a Contract for Services as it relates to the Selma-Dallas County Chamber of Commerce-Tourism Division, which is a month-to-month agreement. A motion was made by Councilwoman Newton, and seconded by Councilman Tucker, to approve the said Selma-Dallas County Chamber of Commerce - Tourism Division - Contract for Services in the amount of \$72,000.00, from the City's annual Tourism budget. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

E. **Resolution #R154-08/09 - Flat Bed Dump Truck.** Attorney Nunn stated that the Council should have before them Resolution #R154-08/09 which represents a bid proposal on One (1) 2009 Flat Bed Dump Truck for the Public Works Department. A motion was made by Councilman Tucker, and seconded by Councilman Bowie, to approve said Resolution #R154-08/09, in the amount of \$71,907.33. **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. Councilman Williamson cast a nay vote.**

F. **A.M.I.C. Invoice - Statement.** Attorney Nunn stated the Council should have before them an invoice from Alabama Municipal Insurance Corporation as it relates to claims, and the reimbursement of the deductible. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Keith, to approve said A.M.I.C. Invoice in the amount of \$11,088.49. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

G. **Kindaka Sanders v. City of Selma, Alabama - Lawsuit - Rick Howard Invoice.** Attorney Nunn stated the Council should have before them an invoice from the Law Firm of Nix Holtsford Gilliland Higgins & Hitson, PC as it relates to the Kindaka Sanders lawsuit against the City of Selma. A motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve said invoice in the amount of \$2,234.20. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

H. **City of Selma - Marina Dockage Agreement.** Attorney Nunn stated the Council should have before them an agreement between the City of Selma and James Randy Thompson d/b/a Alabama River Cruise, which agreement is a license for usage of a mooring ball or dock space by Mr. Thompson for a specific vessel at his sole risk. A motion was made by Councilman Tucker, and seconded by Councilman Williamson, to approve said Marina Dockage Agreement. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were seven affirmative votes, one abstention, and one nay vote. Councilwoman Keith abstained from voting. Councilwoman Crenshaw cast a nay vote.**

I. **Precinct Changes - Voting.** Attorney Nunn discussed with the Council, proposed precinct changes from the K.F.C. Building, Northern Heights Presbyterian Church, Ford's Grocery, and Byrd Elementary School. Attorney Nunn further stated he will bring back a report at the next Council meeting, and that upon doing that the Justice Department has up to sixty (60) days to object to the submission of precinct changes.

J. **Justice Department - Letter Regarding the School Board.** Attorney Nunn stated that the Council should have a copy of a letter he received from the U.S. Department of Justice as it relates to Act No. 2008-498 9HB927 (2008), and the method of selecting school board members. Attorney Nunn further stated that the Justice Department did not have any objections to the Act as it relates to the City of Selma, and its desire to present it to the people for them to vote on it, but that the approval for a Special Election would have to be approved by the Council, and then be submitted back to the Justice Department, asking for the approval of the same. President Allen asked the Council to consider the Special Election possibly in the Spring, preferably the 4<sup>th</sup> Tuesday in April (April 28<sup>th</sup>) for the date of the Special Election to be held. A motion was made by Councilman Bowie, and seconded by Councilman Williamson, to approve the date of April 28, 2009, for the Special Election to be held. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

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K. **Ordinance #O106-08/09 - Standing Committees.** Attorney Nunn stated that the Council should have before them Ordinance #O106-08/09, which represents an Ordinance amending Section Two of Ordinance Numbers 01-8889 and 01-8889-B concerning the Organizational Meeting, and Standing Committees of the City Council of the City of Selma, Alabama, to be placed on 1<sup>st</sup> Reading. Attorney Nunn further stated the change includes the Public Works Committee shall include drainage, tree removal, sidewalks, sanitary sewers, refuse, trash pickup, land fill, recycling, garbage and sanitation. Attorney Nunn also stated that this Ordinance includes the addition of Selma-Dallas County Youth Ambassadors Committee and the Children and Families Committee. Councilwoman Crenshaw stated, for the record, that the Youth Ambassadors came about for young people to see the world and not just Selma, and therefore was put together in order to get that done. Councilwoman Crenshaw further stated she created the venue of Youth in Government and it entered into the Council's domain sometime back in 1970 as a Tri Hi Y and Hi Y Brown Y. Councilwoman Crenshaw stated she then decided to create the Youth Ambassadors utilizing all high schools, and that it now has been pulled in as a committee. Councilwoman Crenshaw stated Ordinance #O106-08/09 can be passed but they will not bring the Selma Dallas Youth Ambassadors because she will move it to a 501-C in the City before she allows "you Dr. Allen to create a committee based upon your desire to control, and no matter how you do that it will not fall up under a committee created by this Council". Councilwoman Crenshaw further stated she would not adhere to the Ordinance and she wanted this stated for the record, as well. President Allen stated, as a matter of record, it is not "my doing but the committee as a whole, which is this Council" and that they would make that decision. Following discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve said Ordinance #O106-08/09. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were seven affirmative votes and two nay votes. Councilman Randolph and Councilwoman Crenshaw each cast a nay vote.**

L. **Special Events Liquor License - Selma Charity League.** Attorney Nunn stated to Council that they should have before them a Special Events Liquor License, for the Selma Charity League, on behalf of Ms. Nan Callaway, for an event in February for two (2) days. Attorney Nunn further stated to Council that he would ask that they waive the usual process, and consider favorably said Special Events Liquor License as it relates to the Selma Charity League. During discussion, a motion was made by Councilwoman Newton, and seconded by Councilman Randolph, to approve the said Special Events Liquor License on behalf of the Selma Charity League. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one abstention. Councilman Williamson abstained from voting.**

M. **Next Level Bar and Grill - Petition of Residents Opposed to a Liquor License.** Attorney Nunn stated to Council that they should have before them a Petition which has a total of 54 names, signed by residents opposing the approval of a liquor license to Next Level Bar and Grill. Attorney Nunn further stated the location of this facility is in the Ward of Councilman Randolph, and if the Council recalls, this liquor license had been placed on 1<sup>st</sup> Reading by the Council during at the last Council meeting. Following discussion, a motion was made by Councilman Randolph, and seconded by Councilwoman Newton, to deny said liquor license application as it relates to Next Level Bar and Grill. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

N. **Resolution #R134-08/09 - Election of City Treasurer.** Councilwoman Newton made a report from the Administrative Committee, and stated that there were three (3) top candidates for the position of City Treasurer. Following discussion, a motion was made by Councilwoman Benjamin, and seconded by Councilman Bowie, to accept the candidates recommended by the Administrative Committee. **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, and stated all of the candidates should have been included.** President Allen stated the nominees for City Treasurer are Cynthia Mitchell, William Porter, and Spencer Scoon, and asked that the Council would proceed to take a vote on the nominee of their choice. **A roll call vote was taken: President Allen - Cynthia Mitchell; Councilman Williamson - William Porter; Councilwoman Keith - William Porter; Councilwoman Newton - Spencer Scoon; Councilwoman Benjamin - Cynthia Mitchell; Councilman Randolph - Cynthia Mitchell; Councilman Tucker - Cynthia Mitchell; Councilwoman Crenshaw - Cynthia Mitchell, and Councilman Bowie - Cynthia Mitchell. President Allen stated the Election of City Treasurer is Ms. Cynthia Mitchell by a majority vote.**

O. **Resolution #R133-08/09 - Election of City Clerk.** Councilwoman Newton made a report from the Administrative Committee, and stated that there were five (5) candidates for the position of City Clerk. Following discussion, a motion was made by Councilman Tucker, and seconded by Councilman Bowie, to approve an Election of the City Clerk in the form of Resolution #R133-08/09. An amended motion was made by Councilman Randolph, and seconded by Councilwoman Crenshaw, to include in said Resolution #R133-08/09, as a condition of appointment if the City Clerk is a non-City resident, he/she shall provide proof of residency in the form of a copy of the deed/lease agreement in his/her name, and copies of utility bills (light, water and gas) in his/her name. Councilwoman Newton stated that the five (5) top

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candidates for the position of City Clerk are: Ivy Harrison, Malvina Harrison, Nancy Hinson, Anna Justine, and Lois Williams. During discussion, a motion was made by Councilman Williamson, and seconded by Councilwoman Newton, to accept the nominees recommended by the Administrative Committee. **A roll call vote was taken by City Attorney Nunn and the motion passed with a majority vote of the Council. There were seven affirmative votes and two nay votes. Councilman Randolph and Councilwoman Crenshaw each cast a nay vote.** President Allen stated the nominees for City Clerk are Ivy Harrison, Malvina Harrison, Nancy Hinson, Anna Justine, and Lois Williams, and asked that the Council would proceed to take a vote on the nominee of their choice. **A roll call vote was taken by Attorney Nunn: President Allen – Ivy Harrison; Councilman Williamson – Ivy Harrison; Councilwoman Keith – Ivy Harrison; Councilwoman Newton – Ivy Harrison; Councilwoman Benjamin – Ivy Harrison; Councilman Randolph – Lois Williams; Councilman Tucker – Ivy Harrison; Councilwoman Crenshaw – Lois Williams; and Councilman Bowie – Ivy Harrison. President Allen stated the Election of City Clerk is Mrs. Ivy Harrison by a majority vote.**

**BUSINESS ITEMS:**

**I. SELMA CITY SCHOOL BOARD APPOINTMENT**

Councilwoman Newton made a report, and stated that the Administrative Committee had interviewed all of the applicants who were all very good, and has brought back to the Council the top five (5) nominees and they are: Margaret Christian, Johnny Moss, III, William Powell, Mina Roussell, and Roderick West. A motion was made by Councilman Williamson, and seconded by Councilman Tucker, to accept the nominees of the Administrative Committee. **A roll call vote was taken and the motion carried with a majority vote of the Council. There were seven affirmative votes and two nay votes. Councilman Randolph and Councilwoman Crenshaw each cast a nay vote. Councilwoman Crenshaw stated during roll call that she votes no because all of the candidates should have been brought back to the Council.** President Allen asked the Council to proceed to take a vote on the nominee of their choice: **President Allen – Roderick West; Councilman Williamson – Roderick West; Councilwoman Keith – Roderick West; Councilwoman Newton – William Powell; Councilwoman Benjamin – William Powell; Councilman Randolph – Roderick West; Councilman Tucker – Roderick West; Councilwoman Crenshaw – Roderick West, and Councilman Bowie – William Powell. President Allen stated the School Board Appointment is Mr. Roderick West by a majority vote.**

**II. SELMA WATER WORKS & SEWER BOARD APPOINTMENT**

This item is tabled.

**III. MAYOR EVANS' REQUEST FOR SUB-COMMITTEES**

President Allen stated the following Committee Members have been named: *Usage of Public Buildings*: Councilwoman Benjamin, Councilman Bowie, and President Allen, as Ex-Officio member. *Garbage Collection*: Councilman Williamson, Councilwoman Keith, and Councilman Tucker.

**IV. NOISE ORDINANCE**

President Allen stated she would like to remind the Citizens to be considerate as it relates to noise in the community.

**STANDING COMMITTEE REPORTS**

**RECREATION COMMITTEE – Councilman Samuel Randolph, Chairman**

Councilman Randolph made a report. Due to numerous complaints concerning noise and other illegal activities at the Battle of Selma Park, a motion was made by Councilman Randolph, and seconded by Councilwoman Crenshaw, to close the vehicle gate related to the Battle of Selma Park. **The motion carried with a unanimous (show of hands) vote of the Council.** Councilman Randolph stated his next recommendation is to require each child playing football to purchase his own football pants, creating a cost savings of \$3,500.00. A motion was made by Councilman Bowie, and seconded by Councilwoman Benjamin, to approve said recommendation. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.** The next recommendation from the Committee was to charge \$250.00 for rental of the Stadium and for the Lessee to pay \$15.00 an hour for three (3) City employees to work the football and track games, and to increase the rental fee for Bloch Park and the Complex to \$50.00 (per field). A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Newton, to accept said recommendation. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

Councilman Randolph stated the last recommendation from the Committee was to help with cutting cost, to charge \$25.00 for registration fee (Pay-to-Play) for all sports. It was the consensus of the Council to table the last recommendation.

ADMINISTRATIVE COMMITTEE – Councilwoman Dr. Monica Newton, Chairperson

Councilwoman Newton reported and stated the Committee will be meeting on January 6<sup>th</sup> at 4:00 p.m., to discuss the Re-naming of Streets, and to discuss the procedure that is already in place, with plans for the request to re-name street that is already before the Council at present, Jeff Davis Avenue to J. L. Chestnut Boulevard.

President Allen stated to Council that Attorney Nunn had just brought it to her attention that the salaries for the City Treasurer and the City Clerk will need to be set, and that presently the City Treasurer is paid at \$52,000.00 and the City Clerk's salary is set at \$41,999.88. A motion was made by Councilman Williamson, and seconded by Councilman Bowie, to reduce the salary by 12.5% for the cost reductions that are to be implemented across the board. During discussion, an amended motion was made to set the salary for City Treasurer at \$52,000.00, and to set the salary for the City Clerk at \$41,999.88. A roll call vote was taken and the motion passed with a majority vote of the Council. There were seven affirmative votes and one nay vote. Councilman Randolph cast a nay vote. Councilwoman Crenshaw was absent from the Chamber when the vote was taken. Attorney Nunn asked the Council to consider amending Resolutions #R134-08/09 and #R133-08/09, to include the salary of the City Treasurer at \$52,000.00, and the salary of the City Clerk at \$41,999.88. A roll call vote was taken and the motion passed with a majority vote of the Council. There were seven affirmative votes and one nay vote. Councilman Randolph cast a nay vote. Councilwoman Crenshaw was absent from the Chamber when the vote was taken.

PUBLIC SAFETY COMMITTEE – Councilman Corey Bowie, Chairman

Councilman Bowie made a report, and stated that a meeting will be scheduled in the next few weeks for a public forum for citizens and businesses.

COMMUNITY DEVELOPMENT COMMITTEE – Councilwoman Angela Benjamin, Chairperson

Councilwoman Benjamin stated a meeting will be scheduled in the next few weeks.

PUBLIC WORKS COMMITTEE – Councilman Benny Tucker, Chairperson

No Report.

SELMA-DALLAS COUNTY YOUTH AMBASSADORS – Councilwoman Bennie Crenshaw, Chairperson

No Report.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

No Report.

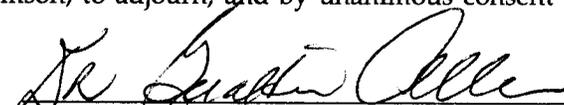
DISCRETIONARY FUNDS COMMITTEE – Council President Dr. Geraldine Allen, Chairperson

President Allen made a report, and stated a total of \$4,740.00 was given by the Council in discretionary funds tonight.

**CLOSING REMARKS BY EACH COUNCIL MEMBER.**

**ADJOURNMENT**

There being no further business to come before the Council, a motion was made by Councilwoman Newton, and seconded by Councilman Williamson, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 9:29 p.m.

  
DR. GERALDINE ALLEN, Council President

ATTEST:

  
LOIS WILLIAMS, City Clerk

APPROVED:

  
GEORGE PATRICK EVANS, Mayor