

**MINUTES OF THE
SELMA CITY COUNCIL
SEPTEMBER 22, 2009
5:00 P.M.**

Call to Order

Invocation: Reverend Steve Washington, Pastor
Trinity Lutheran Church

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, September 22, 2009 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, Susan Keith, Dr. Monica Newton, Benny L. Tucker, Bennie R. Crenshaw, and 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 Brenda Smothers. Councilwoman Angela Benjamin was absent during roll call but arrived at 5:15 p.m. Councilman Samuel Randolph was absent during roll call but arrived at 6:46 p.m.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

After approval of the agenda, President Allen asked for the approval of the minutes of September 1, 2009 Special Called meeting minutes. President Allen asked that the record reflect that the Council thanks City Clerk, Ivy Harrison, who has been very studious about making sure that they get their minutes on time, to be read in time before the Council Meeting. A motion was made by Councilman Tucker, and seconded by Councilman Bowie, to approve the minutes of September 1, 2009. **The motion carried with a unanimous (show of hands) vote of the Council Members present.** President Allen asked for the approval of the minutes of September 8, 2009 regular meeting minutes. During discussion, a motion was made by Councilman Tucker, and seconded by Councilman Bowie, to approve the minutes of September 8, 2009. **A roll call vote was taken and the motion passed with a majority vote of the Council Members present. There were six affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote.**

CITIZENS' REQUEST

Ms. Elise Blackwell and Former Councilwoman Jean Martin

Re: Waiver of Building Usage Fee (Annual Holiday Festival at the Performing Arts Center)

During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Bowie, to waive the fee for the use of the Performing Arts Center, during the "Annual Holiday Festival", a two (2) Week 'Craft Show and Bake Sale'. Ms. Blackwell also stated this year will mark their "31st" Year. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present.** Councilwoman Martin and Ms. Blackwell thanked the Council for the Fee Waiver to use the Performing Arts Center, and invited everyone to come.

Ms. Cassandra Stewart

Re: Proposed Bond

PROCLAMATION IN HONOR OF FIRE CHIEF HENRY ALLEN ON THE OCCASION OF HIS RETIREMENT, HAVING SERVED THE CITY OF SELMA FOR OVER 37 YEARS.

MAYOR'S REPORT

A. **Budget - Discussion.** Mayor Evans stated to Council that they should have received a draft copy of the Budget, which is a "work in progress". Mayor Evans asked the Council to review it, and he looks forward to meeting with the Council and discussing it in further detail at a later time.

B. **Employee Benefits - 2009 - Health Coverage.** Mayor Evans stated to Council that they should have received a copy of a "rough" draft of the Employees' Health Benefit Plan, and that we have until around the last week in October of this year to decide on this. Mayor Evans further stated his goal with this would be to have meetings with the Employees and the Council, to come up with a plan for our health insurance. Mayor Evans stated based on claims presented last year, our health insurance plan with Blue Cross Blue Shield will increase by 26.2%, unless we go to another plan or put some more things in deductions and co-pay. Mayor Evans asked Council to please review the information that he provided to them, so that they can come back and make a decision in the near future.

C. **Rural Health Medical Program - Letter of Commitment.** Mayor Evans stated to Council that they should have a copy of a Letter of Commitment from Rural Health Medical Program, Incorporated, who is interested in opening a community health center in the Good Samaritan Facility, along with the HIV Group. Mayor Evans further stated both Rural Health and the HIV Group have toured the Good Samaritan Building, and both would like to occupy space there. Mayor Evans stated the status now is waiting to make sure that we get the funds from the State to do that, as well as, some repair needs with some roofing, and windows. Mayor Evans further stated Mrs. Kay Jones is working on getting some estimates to report back to us as to what it is going to cost to repair the roof, and the windows. Mayor Evans stated this is "work in progress". Councilman Williamson stated \$250,000.00 is expected to be donated as it relates to the Good Samaritan Project, and asked Mayor Evans what is the advantage of them trying to work through the City, who would have to sub-lease it to them rather than working with the owner of the building, which is the State? Mayor Evans responded and stated the \$250,000.00 that is coming will not necessarily be coming directly from the State, but rather from one of the Senators who is finding the funds from some of the State funding to make that available for Rural Health, and also that the Facility is a neighborhood building, and the City has been trying to hold on to the building for historical reasons. During discussion, President Allen asked Attorney Nunn, for the benefit of clarity and understanding, to provide a copy of the current contractual letter to all of the Council Members for their review, by the next Council Meeting.

D. **U. S. Conference of Mayors Climate Protection - Agreement.** Mayor Evans stated to Council that they should each have before them a copy of the U. S. Conference of Mayors Climate Protection Agreement, which authorizes him to sign in agreement as other Mayors, for the purpose of climate protection throughout the United States, to confront the global challenge. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Tucker, to approve authorizing Mayor Evans to sign the U. S. Conference of Mayors Climate Protection Agreement, in support of said Agreement. A roll call vote was taken and the motion passed with a majority vote of the Council Members present. There were six affirmative votes and two nay votes. Councilman Williamson and Councilwoman Newton each cast a nay vote.

E. **Dallas County Commission for Tax Abstracts and Bills for 2008/2009 - Contract.** Mayor Evans stated to Council that they should have before them a copy of the Contract with Dallas County Commission for Tax Abstracts and Bills for 2008/2009, in the amount of \$9,156.35. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve said Contract in the amount of \$9,156.35. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

F. **Resolution #R243-08/09 - Authorization to Execute the Grant Agreement for the J. L. Chestnut, Jr. Boulevard Construction - Project.** Mayor Evans stated to Council that they should have before them a copy of Resolution #R243-08/09, as it relates to Authorization to Execute the Grant Agreement for the J. L. Chestnut, Jr. Boulevard Construction Stimulus Project, in the amount of \$500,000.00. Mayor Evans read Resolution #R243-08/09 in its entirety, and asked Council's favorable consideration. A motion was made by Councilman Bowie, and seconded by Councilwoman Newton, to approve Resolution #R243-08/09, which authorizes Mayor Evans to sign all necessary documents as required by the Letter of Conditional Commitment, and to execute the grant agreement on behalf of the Selma City Council, in the amount of \$500,000.00, for the J. L. Chestnut, Jr. Boulevard Construction Stimulus Project. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

G. **Resolution #R244-08/09 - Authorization to Advertise for Bids on the J. L. Chestnut, Jr. Boulevard Construction - Project.** Mayor Evans stated to Council that they should also have before them Resolution #R244-08/09 as it relates to Authorization to Advertise for Bids on the J. L. Chestnut, Jr. Boulevard

Construction - Stimulus Project. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Tucker, to approve said Resolution #R244-08/09, as it relates to publicly opening all bids received to furnish all labor, materials and perform all work for construction of milling and repaving approximately 2,400 linear feet of street, on the J. L. Chestnut, Jr. Boulevard Construction Project. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

H. Resolution #R245-08/09 - Awarding of Contract to Asphalt Contractors for the Resurfacing of Streets Near the Addison Way Apartments. Mayor Evans stated to Council that they should have before them Resolution #R245-08/09 as it relates to the awarding of Contract to Asphalt Contractors for the Resurfacing of Streets Near the Addison Way Apartments. Mayor Evans further stated the previous Council approved funding to pay for repaving streets, near the Addison Way Apartments; namely, Lynngate Road, Berkshire Road and Cloverdale Road. Mayor Evans stated sealed bids for the Resurfacing of Streets' Project were received by the City of Selma's Clerk's Office, and the lowest responsible bidder was Asphalt Contractors of Montgomery, in the amount of \$38,800.00. Mayor Evans stated Mrs. Judith VanDyke, Manager of the Addison Way Apartments, is present and introduced her to the Council. During discussion, a motion was made by Councilwoman Benjamin, and seconded by Councilman Tucker, to approve said Resolution #R245-08/09, Contract Award to Asphalt Contractors, in the amount of \$38,800.00. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

I. Resolution #R250-08/09 - ALDOT Supplemental Agreement Number 2 for the Water Avenue Utility Relocation/Streetscape Improvement Project. Mayor Evans stated to Council that they should have before them Resolution #R250-08/09 - ALDOT Supplemental Agreement Number 2 as it relates to the Water Avenue Utility Relocation/Streetscape Improvement Project. Mayor Evans asked Mrs. Patti Sexton to come forward and address the Council as it relates to Resolution #R250-08/09. Mrs. Sexton stated to Council that Resolution #R250-08/09 represents a new requirement of ALDOT, that ALDOT has to have to proceed to relocate above ground utilities in two blocks of Water Avenue, and that the funds for this project will be reimbursed from ALDOT via the Water Avenue Utility Relocation Project line item in the amount of \$400,000.00. During discussion, a motion was made by Councilwoman Newton, and seconded by Councilwoman Crenshaw, to approve Resolution #R250-08/09, which is an amendment reflecting the new requirement of ALDOT, needed to proceed with the relocation of the ground utilities in two blocks of Water Avenue, as it relates to the Streetscape Improvement Project. 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 nay vote. Councilwoman Benjamin cast a nay vote.

J. Cable Television Franchise Renewal. Mayor Evans stated to Council that they should each have a copy of the letter received from Charter, and that they are basically asking us to look at the possibility of renewing the Charter Television Franchise, with them in 2012. Mayor Evans stated he would like for Attorney Nunn to come and address the Council as it relates to this. Attorney Nunn addressed the Council and stated that they should have within their packets information as it relates to Charter Communications. Attorney Nunn further stated our Franchise with Charter Communications, which is a 20-Year Franchise Agreement, is coming up for Renewal in 2012. Attorney Nunn stated, for the benefit of the new Council Members, for several years we have been dealing with Charter Communications and have met with them; we have also had Citizens complaining about their Cable Services. Attorney Nunn further stated as can be seen in the Cable Television Franchise Agreement, approximately 3 years preceding the date of the expiration of the franchise, the Cable Company sends a letter out requesting the renewal, and we have received that letter. Attorney Nunn stated the City of Selma has received the 626 letter, referred to in the Franchise Agreement, from Charter requesting the renewal process to begin, and under 47 U.S.C. 546 it requires the City to "commence a needs assessment proceeding" not later than six (6) months after the date such notice is submitted, and we have until November 1st to submit that letter, responding to Charter Communications. Attorney Nunn further stated the company of Local Government Services, LLC for Cable Television Franchise Management Services is endorsed by the Alabama League of Municipalities, and other Cities; see attached listing of those Cities. Attorney Nunn stated the amount of the agreement is in the amount of \$16,000.00 if we choose to contract with Local Government Services, LLC, and that this is probably going to be a 20 year franchise agreement, which we will be entering into, and that whatever we do as this Council, will have a long-term effect as it relates to Charter Communications. Attorney Nunn stated he is asking the Council's consideration of the same. President Allen asked the Council to read and review this new Franchise Agreement, to be prepared to discuss at the next Council Meeting. Attorney Nunn stated to Council that he will provide a copy of the current Franchise Agreement to them, and for them to check their mailboxes.

K. Meridian & Bigbee Railroad Crossing - Improvements. Mayor Evans stated to Council that as of today, they have repaired the Railroad Crossing on Selma Avenue, and it appears to be in good shape. Mayor Evans further stated that he did not get a chance to drive by the railroad crossing on Oak Street, but that he plans to drive by that area, along with Hooper Drive and Crescent Hill, as a follow-up.

L. Selma Water Works & Sewer Board - Public Hearing. Mayor Evans stated to the Council and the Citizens that there will be a public hearing to discuss and inform the public of the commercial rates, new service fees, and changes made to the police jurisdiction service rates for services provided by the Selma

Water Works & Sewer Board. Mayor Evans further stated this meeting will give Citizens feedback as it relates to the rate changes, and "why", based on commercial and service fees that will go into effect in October of this year. Mayor Evans stated everyone is encouraged to attend this Public Hearing which will be held on Tuesday, September 29th, at the Performing Arts Center, at 5:30 p.m.

CITY ATTORNEY'S REPORT

A. R#238-08/09 - Use of Automated Traffic Law Enforcement. Attorney Nunn stated to Council that Mr. Graham Champion was present, as it relates to the Use of Automated Traffic Law Enforcement. Attorney Nunn further stated this item had been referred to the Public Safety Committee, and he is not sure as to whether or not Public Safety has a report on this tonight. President Allen asked Councilwoman Crenshaw if the Public Safety Committee had a report for tonight? Councilwoman Crenshaw responded and stated to President Allen that she wanted to make a statement, and that then she could make a decision as to how she wanted to deal with this. Councilwoman Crenshaw stated she wants this statement to actually be read into the minutes on that, so that we could move forward with whatever needs to be done with the Public Safety Committee. Councilwoman Crenshaw stated her statement reads, "I am declining to serve as Public Safety Committee's Chairperson, and reasons being; (1) I would find myself in constant conflict with a City Council that seeks to micro-manage, regulate and control Departments in City Government. I choose not to be a part of this; (2) And, more importantly, 40 young people of Selma-Dallas Future Leaders of Tomorrow/former Selma-Dallas Youth Ambassadors, (Name-Change, Same-Program), with a theme, "Building Inclusive Communities", will continue to demand much of my time which would be time well spent; and (3) I would like to offer that Mr. Sam Randolph be given some consideration to serve as Public Safety Committee Chairperson, in that he is not the "Chair" of any Committee. I would like for my statement to be made part of the minutes." President Allen stated to Attorney Nunn that there apparently had not been a meeting of the Public Safety Committee, so that item will not be discussed tonight.

B. Resolution #R247-08/09 - Resolution Declaring Public Nuisance and Immediate Abatement. Attorney Nunn stated Resolution #R247-08/09 represents properties which Code Enforcement has identified as properties declared to be public nuisances, and that are in violation of Ordinance #O118-06/07. Attorney Nunn stated to Council that they should have an attachment to Resolution #R247-08/09, which lists the 12 properties that are in violation, and asked Council's consideration of said Resolution. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve Resolution #R247-08/09, to approve immediately abatement by the listed property owners. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

C. Resolution #R248-08/09 - Authority to Abate and Remove Weeds Declared a Public Nuisance. Attorney Nunn stated to Council that they should have Resolution #R248-08/09 before them, which identified the described properties in Resolution #R248-08/09 as being a nuisance, and on the date of September 22, 2009 at 5:00 p.m. we did not have any objections as it relates to abatement of weeds on these properties. Attorney Nunn further stated certified letters were forwarded to the property owners, requesting them to abate and remove the weeds, and that the same was published in the Selma Times-Journal Newspaper, and all of the requirements have been met. Attorney Nunn further stated Resolution #R248-08/09, gives the Code Enforcement Office and the Public Works Department authority to abate the nuisance, and remove weeds from the properties, and if Public Works Employees cannot abate the nuisance, then the same shall be abated by a private contractor, with the lowest quote. During discussion, Councilwoman Crenshaw asked the Council to consider allowing a Citizen from the audience the opportunity to speak to the Council, since she had driven from Birmingham. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Newton, to allow the Citizen to come forward and address the Council. **The motion carried with a unanimous (show of hands) vote of the Council Members present to allow Ms. West to speak.** Ms. Pam West addressed the Council and stated that she is originally from Selma, but now is a resident of Birmingham, and owns several pieces of properties in the Riverview Historic District. Ms. West further stated she received a letter as it relates to 317 Lamar Avenue, which has been cut. Ms. West offered an explanation as to how the grass is cut and maintained by Rev. Henderson, who lives next door to the property, who normally cuts the grass, and maintains it. Ms. West also presented pictures she has taken of other properties, and addressed her concern that some properties never get cut over in that area, and she feels she is somehow "singled" out in violation of the weed abatement ordinance, and questions if she is the only one who is noticing other properties that are also in violation. During discussion, President Allen asked Ms. West to confirm her address, and her address is not listed on the resolution. Attorney Nunn stated if the property address comes into compliance, then the address is taken off of the list. President Allen stated to Ms. West she did come into compliance and, therefore, her address is not listed on either of the resolutions that Attorney Nunn just presented. Councilwoman Newton stated to Ms. West that the point she makes is that every piece of property should be treated the same, and that is their goal; the goal of this Council, and the goal of the Mayor, and they are going to look into the matter fully and make sure that every property is treated the same. Councilwoman Newton further stated nobody wants to feel like they are being "singled" out, and she wanted her to know that. Councilwoman Newton stated she was not the only one, and that there had been a lot of properties submitted. President Allen stated to Ms. West that the Council will be giving this to the Mayor, and request that it be forwarded to Code Enforcement. Mayor Evans stated to Ms.

West that he appreciates the information pertaining to these items. Mayor Evans further stated to Council the same will be verified with Code Enforcement, to determine whether these properties have been noted, and if they have not, then he would like to know why. President Allen stated to the Council that she did see another individual who had his hand raised as well, and asked him if his concern was pertaining to the Resolutions that were just discussed? He answered, and said "yes", and President Allen asked the Council to allow him the same right that they had just allowed Ms. West to speak on. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Williamson, to allow the Gentleman to come and speak to the Council. **The motion carried with a unanimous (show of hands) vote of the Council Members present to allow him to speak.** Pastor James Henderson addressed the Council and stated that he is the one who stays at the property that Ms. West was just speaking about. Pastor Henderson stated he was "cited" with the yellow ticket about the moving of the vehicle that was given to him for the service of the Lord. Pastor Henderson stated he called and spoke with Officer Reginald Fitts because he, too, felt that they were being "picked" on, but he wants to do what is right. Pastor Henderson stated one of the things that bothers him more than anything else is that "the whiskey houses are still in this neighborhood in 2009 and nobody seems to be paying attention to it, but yet in still, here it is, miss cutting the yard. God Bless You All. Thank You."

Attorney Nunn proceeded with presenting Resolution #R248-08/09, and asked Council's consideration of the same. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Tucker, to approve Resolution #R248-08/09, which gives the Authority to Abate and Remove Weeds Declared a Public Nuisance in the identified and described properties. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

D. Tax Enhancement Agreement - Revenue Administration. Attorney Nunn stated to Council that they should have before them the agreement as it relates to the Tax Revenue Enhancement Agreement - Revenue Administration, known also as AlaTax, and that AlaTax collects sales taxes for the City of Selma. Attorney Nunn further stated we are in contract with AlaTax, who is now RDS, and that we enter into an agreement every year, and the agreement ends on September 30th. Attorney Nunn stated he is asking Council's consideration of the same. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilman Tucker, to approve the Tax Enhancement Agreement - Revenue Administration. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

E. Tax Enhancement Agreement - Business License Discovery/Recovery. Attorney Nunn stated to Council that they should also have before them the agreement as it relates to the Business License Discovery/Recovery, that cross references businesses that do businesses within the City. Attorney Nunn stated we enter into an agreement every year, and that agreement ends on September 30th. Attorney Nunn asked Council's consideration of the same. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve the Tax Enhancement Agreement - Business License Discovery/Recovery. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

F. Ordinance #O119-08/09 - Ordinance Amending Ordinance #O111-08/09 - Parking Of Motor Vehicles In Front Yards. Attorney Nunn stated to Council that Ordinance #O119-08/09 is an Ordinance Amending Ordinance #O111-08/09 as it relates to Parking of Motor Vehicles in Front Yards, which will allow Section Three with regard to "exceptions to parking in the grass or parking on the front yard to be amended to state that the prohibition of this ordinance shall not apply to vehicles parked in the front or back yard with an issued handicap license plate on the vehicle or a placard located on the front dashboard or hanging from the rear view mirror inside the vehicle. A motion was made by Councilwoman Newton, and seconded by Councilwoman Keith, to approve Ordinance #O119-08/09, Amending Ordinance #O111-08/09 as it relates to the Parking of Motor Vehicles in Front Yards, and making an exception and not applying to vehicles parked in the front or back yard with an issued handicap license plate on the vehicle, or a placard located on the front dashboard or hanging from the rear view mirror inside the vehicle. **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. Councilwoman Crenshaw cast a nay vote.** During roll call, Councilwoman Crenshaw stated her vote is no because she did not vote for the initial Ordinance.

G. Addison Way Apartments - Easement Requests. Attorney Nunn stated to Council that Ms. Judith VanDyke of Addison Way Apartments was present and, if they recall about 2 years ago she came before the Council as it relates to parking easements at Addison Way. Ms. VanDyke came forward and addressed the Council, as it relates to some issues of parking easements at Addison Way Apartments, needed to correct encroachments onto the City's right-of-way, described below:

a. Corrective Parking Easement at Addison Way Apartments. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Benjamin, to approve an easement for corrective parking at Addison Way Apartments. **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. Councilwoman Keith abstained from voting.**

b. An Easement for Building #7, for the HVAC Units. A motion was made by Councilman Bowie, and seconded by Councilman Randolph, to approve an easement for Building #7, for the HVAC Units at Addison Way Apartments. 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. Councilwoman Keith abstained from voting.

c. An Easement to Allow the Covered Mailbox Kiosk to Remain in the Right-of-Way. A motion was made by Councilwoman Benjamin, and seconded by Councilman Randolph, to approve an easement for a mailbox kiosk. A roll call vote was taken and the motion passed with a majority vote of the Council Members present. There were eight affirmative votes and one abstention. Councilwoman Keith abstained from voting.

H. Alcohol License Applications. Attorney Nunn stated to Council if they recall, during the last Council Meeting there were five (5) businesses who did not go through the new process to apply for their Alcoholic Beverage Licenses; namely, City Marina, St. James Hotel, 12th Stone, Junction Amoco, and Edwards BP. Attorney Nunn further stated the City Marina did burn on this past Friday, and he has spoken with Ms. Hughes who stated to him that they do not plan to re-build, or renew the alcoholic beverage license; therefore, there only remains three (3) applications for the Council to consider tonight; namely, , Junction Amoco, Edwards BP, and 12th Stone. Attorney Nunn asked Council's consideration on the three (3) alcoholic beverage license applications:

1) Alcoholic Beverage License - David Edwards (Junction Amoco, 1830 U.S. Highway 14, East). A motion was made by Councilwoman Keith, and seconded by Councilman Randolph, to approve the alcoholic beverage application of Junction Amoco. 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.

2) Alcoholic Beverage License - David Edwards (Junction Amoco, 1830 U.S. Highway 14, East). A motion was made by Councilwoman Newton, and seconded by Councilwoman Keith, to approve the alcoholic beverage application of Edwards BP. 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.

3) Alcoholic Beverage License - Carvin Thomas (12th Stone, 1408 Water Avenue). A motion was made by Councilman Bowie, and seconded by Councilwoman Benjamin, to approve the alcoholic beverage application of 12th Stone. 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.

I. A.M.I.C. Statement. Attorney Nunn stated to Council if they recall the A.M.I.C. Statement was presented to them during the last Council Meeting, in the amount of \$16,567.84. Attorney Nunn asked Council's consideration of the same. A motion was made by Councilman Randolph, and seconded by Councilwoman Newton, to approve reimbursement of the deductible to A.M.I.C. in the amount of \$16,567.84. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

J. Nix Holtsford Gilliland Higgins & Hitson, P.C. - Bills. Attorney Nunn stated to Council that they should have before them a statement from the firm of Nix Holtsford as it relates to the Kindaka Sanders vs. City of Selma, Alabama case, in the invoice amount of \$744.50. Attorney Nunn further stated this case is still pending in the Supreme Court, and asked Council's consideration of the same. A motion was made by Councilman Randolph, and seconded by Councilman Tucker, to approve the Nix Holtsford Firm invoice bill in the amount of \$744.50. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

K. #O121-08/09 - Issuance of Municipal Bonds. Attorney Nunn stated to Council that Ordinance #O121-08/09, orders an election to be held on October 27, 2009, for the purpose of submitting to the qualified electors of the City for their determination by ballot the propositions for Issuance of Municipal Bonds, for various municipal improvements. Attorney Nunn further stated during the last Council Meeting there was a revision to Proposition #13, as it relates to the Landfill in the amount of \$100,000.00. Attorney Nunn stated to Council if they recall, that amount was \$350,000.00, and it was reduced down to \$100,000.00, and the other \$250,000.00 was placed in Public Works Department, and that amount was increased by that \$250,000.00. Attorney Nunn stated to Council that those were the only two (2) changes made to the Ordinance, and asked Council's consideration to ratify, affirm, and approve the changes that have been made to Proposition #13, Landfill, and the Public Works Department. During discussion, a motion was made by stated Councilman Bowie, and seconded by Councilman Tucker, to ratify, affirm, and approve the changes made to Ordinance #O121-08/09, for the Issuance of Municipal Bonds. 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.

L. **#R249-08/09 - Appointment of Election Officials.** Attorney Nunn stated to Council that they should have before them Resolution #R249-08/09, Appointment of Election Officials. Attorney Nunn further stated that some revisions had been made per Councilwoman Benjamin, for Ward 4, and revisions requested by Councilman Williamson, for Ward 1, and Councilwoman Newton, for Ward 3. Councilwoman made a request to make revisions to Queen of Peace, in Ward 7. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Randolph, to approve Resolution #R249-08/09, for the Appointment of Election Officials. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

N. **Election - Update.** Attorney Nunn stated to Council that the qualification period has ended for the School Board Election, and 22 Candidates have qualified for the School Board Election. Attorney Nunn further stated Absentee Voting started on today, and anyone who wants to vote by absentee ballot can do so within the City Clerk's office here at City Hall, and the Election is scheduled for October 27, 2009. Attorney Nunn stated to Council that we have received the official ballots for the election, and he passed out a sample copy of the ballot, which describes the four (4) different styles of the ballot, for the four (4) different districts of the School Board Election. Attorney Nunn stated District One encompasses Wards One and Two, District Two encompasses Wards Four and Five, District Three encompasses Wards Three and Eight, and District Four encompasses Wards Six and Seven. Attorney Nunn stated to Council that although they have copies of four (4) different ballot styles, the all Candidates for the chairman of the board will be listed on each ballot style. Attorney Nunn stated to Council that they have a sample copy of the Ballot before them describing the same.

BUSINESS ITEMS:

I. **NOISE ORDINANCE**

President Allen stated that this item has already been reported on.

II. **LIQUOR LICENSE MORATORIUM**

President Allen stated the Public Safety Committee has not met, and this item will be continued until our next Council Meeting.

III. **SAFE ROUTES TO SCHOOLS - GRANT**

Councilwoman Newton stated the Safe Routes to School Program is a community-wide effort to improve the health and well-being of children by encouraging them to walk to school. Councilwoman Newton further stated it is divided into two categories; namely, infrastructure projects (new sidewalks, gutters, etc.) and non-infrastructure activities, such as, bike racks, education about helmets, etc. Councilwoman Newton stated it is a great program, and she has provided the Council, a packet of information about everything that they will need as it relates to writing this grant, and that the grant application has five (5) components that incorporate the 5-E's of the Safe Routes to School Program; namely, Education, Encouragement, Engineering, Enforcement, and Evaluation. Councilwoman Newton further stated the deadline for the grant is November 30, 2009. President Allen stated to Council that she thinks this is a grand opportunity to all of our Wards, and she encourages all of them to consider this grant. Councilwoman Newton stated the funding for this grant is \$150,000.00, and that each school can apply.

IV. **HISTORIC HIKE AND BIKE TRAIL**

Councilwoman Newton stated we have an opportunity to apply for two (2) grants through the City of Selma, for a Recreational Trail, and one of the things that they are trying to do is become inclusive of historic sites in the town, and also be able to "connect-up" places with the Trail between the new Riverfront Park and the Battle of Selma Park; "connect-up" through Memorial Stadium and Bloch Park; a "Nature Trail" in the Battle Field Park, and expanding sidewalks to form a Recreational Trail that will connect those up, along the water. Councilwoman Newton stated we need public input, and people to come and express their opinions, which is part of the grant process. Councilwoman Newton stated she thinks it will be an interesting forum, and she is hoping that people will come and express their opinions about the Park, and the new "Hike and Bike Trail", which will be on tomorrow at 4:00 p.m., in the Council Chambers.

V. **UPDATE ON OLD AGENDA ITEMS**

(1) **Movie Theater- Update:**

Mayor Evans stated there is not a new update on this update, other than what was reported during the last Council Meeting.

(2) **Alleged Report - Update:**

No report.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilwoman Monica Newton, Chairman

No report.

ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman

Councilman Bowie made a report, and stated that they are still reviewing the Policies and Procedures Manual. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, that this item be kept "in-house", and not be contracted out through a Consultant. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

PUBLIC SAFETY COMMITTEE - Councilwoman Bennie R. Crenshaw, Chairman

No Report.

COMMUNITY DEVELOPMENT COMMITTEE - Councilman Cecil Williamson, Chairperson

No Report.

PUBLIC WORKS/GENERAL SERVICES COMMITTEE - Councilwoman Susan Keith, Chairperson

No Report.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

Councilwoman Benjamin made a report.

SELMA-DALLAS YOUTH AMBASSADORS - Councilwoman Angela Benjamin, Chairperson

No report.

DISCRETIONARY COMMITTEE - President Geraldine Allen, Chairperson

President Allen stated that there are no funds at this time.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

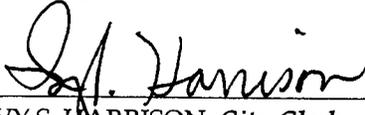
ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilman Tucker, and seconded by Councilwoman Benjamin, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 7:50 p.m.



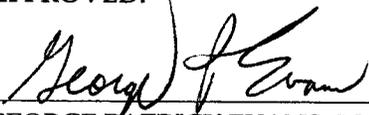
DR. GERALDINE ALLEN, *Council President*

ATTEST:



IVY S. HARRISON, *City Clerk*

APPROVED:



GEORGE PATRICK EVANS, *Mayor*