

**MINUTES OF THE
SELMA CITY COUNCIL
JANUARY 11, 2011
5:00 P.M.**

Call to Order

Invocation: Reverend Tony C. Scott, Pastor
Brown Chapel A.M.E. Church

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, January 11, 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, Councilwoman Dr. Monica Newton, Councilwoman Angela Benjamin, 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. Councilman Samuel Randolph was absent from the Council Meeting, due to Military Duty. Councilman Benny L. Tucker was absent from the Council Meeting. Mayor Evans was absent from the Council Meeting, due to illness. President Williamson and the Council asked that we will keep him in our Prayers.

APPROVAL OF AGENDA

President Williamson asked for the approval of the agenda items. A motion was made by Councilman Bowie, and seconded by Councilwoman Keith, to approve the agenda items as written. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

APPROVAL OF MINUTES

After approval of the agenda, President Williamson asked for the approval of the minutes of December 14, 2010 regular meeting minutes. A motion was made by Councilwoman Newton, and seconded by Councilwoman Keith, to approve the minutes of December 14, 2010. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

CITIZENS' REQUESTS

Rev. Lee Green
Re: Taekwondo Tournament

Attorney Faya Rose Toure`
Re: Update on Past Requests, Arrest Procedures for Defenders with Children, and Non-Sense Pants Law

Mrs. Rae Roth (Mrs. Doris Holland)
Re: Selma Community Concert Association - "Theatre of Illusion" on Saturday, January 29th at 7:00 p.m., at the Pickard Auditorium - Adult Tickets - \$20.00 - Student Tickets - \$10.00

Ms. Towanda Jones
Re: Cedar Park Elementary School - Extended Day Program

Mr. Buddy Swift

Re: Old Y.M.C.A. Building Being Declared a Public Nuisance

During discussion, Attorney Nunn addressed the Council, and stated that he had been in communication with the League of Municipalities, as well as, our Bond Attorneys; namely, Mr. Frank McPhillips, of Maynard Cooper, as it relates to the Old Y.M.C.A. Building. Attorney Nunn further stated that they did state that we could use our Bond Monies under the Revitalization to proceed under the Municipal Improvement Act, for the stabilization of the Old Y.M.C.A., and that is where we are standing at now, on that process. President Williamson stated he felt it was the sentiment of the Council to move forward with the next step, and asked Attorney Nunn to proceed with the next step of forwarding a letter to the property owner, and Attorney Nunn stated he would.

MAYOR'S REPORT

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

Ms. Smothers addressed the Council and stated that Mayor Evans is "a little under the weather", and is unable to be here this evening for the Council Meeting, and that she would be presenting the Mayor's Report.

PRESENTATIONS AND RECOGNITIONS

2010 CHRISTMAS PARADE AWARD WINNERS PRESENTED BY MRS. SHERYL SMEDLEY AND MRS. SHEBRA KIDD

BUSINESS

1ST PLACE, CERTIFICATE OF AWARD, TINY TOTS DAY CARE CENTER
2ND PLACE, CERTIFICATE OF AWARD, PINEBELT WIRELESS

NON-PROFIT

1ST PLACE, CERTIFICATE OF AWARD, GATEWAY BAPTIST CHURCH
2ND PLACE, CERTIFICATE OF AWARD, CEDAR GROVE BAPTIST CHURCH

BAND (HIGH SCHOOL LEVEL)
CERTIFICATE OF AWARD, DALLAS COUNTY HIGH SCHOOL

BAND (COLLEGE LEVEL)
CERTIFICATE OF AWARD, CONCORDIA COLLEGE

THEY WERE ALL CONGRATULATED, AND RECEIVED WITH A "ROUND OF APPLAUSE"!

INTRODUCTION OF NEW POLICE OFFICERS BY CHIEF WILLIAM RILEY, CHIEF OF POLICE

POLICE OFFICER CHRISTOPHER ROPER AND POLICE OFFICER JANET JOHNSON

THEY WERE RECEIVED WITH A "ROUND OF APPLAUSE", AND A "WARM WELCOME"!

A. Monthly Financial Report - December, 2010. Ms. Smothers stated to Council that they should have within their information a copy of the Monthly Financial Report for the Month of December, 2010, which was delivered to them on today. Ms. Smothers further stated if they have questions, they can direct them to Ms. Cynthia Mitchell, our Finance Director. President Williamson stated as is indicated on the Report, we are \$204.21 less for the first three months of this fiscal year, but it is pretty close to the preceding year which is pretty good, to be that close on the sales tax. President Williamson also stated that the lodging tax is up by \$9,153.99, in the first three months of this year, and that is encouraging.

B. Police Report - December, 2010. Ms. Smothers stated to Council that they should each have before them a copy of the Police Report, and that they were also given the Noise Statistics. Chief Riley was asked to come forward to address the Council with an explanation on the Supplemental Package that they were given on this evening. Chief Riley stated that the Supplemental Package offers them a breakdown of the Incidents which occurred in our City. During discussion, Councilman Atchison asked Chief Riley if his Police Report could also include a "red flag" of the areas where the violent crimes have occurred, and Chief Riley stated that he would begin to include that information, as well.

C. Code Enforcement Report - December, 2010. Ms. Smothers stated to Council that they should each have before them a copy of the Code Enforcement Report. Ms. Smothers further stated if there are any questions, Mr. Darryl Moore is here to answer those questions.

D. Update on Griffin Avenue Area Roadway Improvements. Ms. Smothers stated that Mayor Evans is not here to go into depth about this, but that she spoke with Mr. Josh Pierce, P.E., of Goodwyn, Mills and Cawood on today, and that he stated that there is going to be a Pre-Construction Conference here at City Hall, on tomorrow, in the Mayor's Conference Room, at 11:00 a.m. Ms. Smothers further stated at that time they will set the Construction Start Date, and Contract Time, and go from there.

E. Update on Memorial Stadium. Coach Reece was asked to come forward and address the Council with an update on the Memorial Stadium Project. Coach Reece stated to the Council that they have broken the Renovations down into Five (5) areas: Dressing Rooms, Bathrooms, Concession Area, Press Box, and the Ram Shack. Coach Reece further stated as of this evening, both Dressing Rooms have totally been demolished, and expanded as far as it can go by Fifty Percent (50%). Coach Reece further stated that sandblasting had begun, and inside pressure washing had begun, along with painting on the east end of the Stadium. Coach Reece stated that the Concession area is going to be re-done and re-painted, and cleaned as much as we can. Coach Reece further stated that the electrical wires, windows, and gas heaters have been removed in the Concession Stand area, and that the air conditioner, along with the duct work had been removed at the Ram Shack. Coach Reece stated that the goal is to have everything done before our State Track Meet, AISA, of April 20th date, but everything is on schedule. Coach Reece further stated that the Contractors have not missed a day from working except Sunday, even as cold as it has been, they have been there.

F. Update on Trash Ordinance. Attorney Nunn was asked to come forward and address the Council with an update. Attorney Nunn addressed the Council and stated that the Ordinance that we have was passed back in 2005, and that one of the issues that has come up is as it relates to trash and leaves, and placing debris on the side of the road. Attorney Nunn further stated that our Ordinance states the following: Section 13-12(b): The following rules are hereby established pertaining to the method of placement and handling of trash, as herein defined, on or near the street for pickup by the General Services Department.
(1) All trash items capable of being containerized shall be bagged in plastic bags securely closed or tied shut and shall be placed on the curbs in front of the premises on regular collection days only by the occupant thereof. All plastic bags so placed shall be in good condition without tears or leaks and securely tied and fastened. Attorney Nunn stated that was one of the issues we had; people raking leaves and the leaves traveling down our drainage system, and that causing problems with our Public Works Department. Attorney Nunn further stated when we have a hard rain, the rain washes the leaves down the sewage and drainage system, causing a back-up. Attorney Nunn stated we want to notify everyone, as it relates to the leaves, that if they are raking leaves, that they need to also bag the leaves, and place them beside the curb, and the Public Works Department will pick them. President Williamson stated he wanted to say to everybody that this is not something new; that we have actually had this Ordinance since 2005, but has not really enforced it since its passage, as it relates to the leaves. President Williamson further stated that he thinks that we are going to start enforcing it pretty soon, and Attorney Nunn concurred, and stated that it is causing more of a problem now than it ever has, and that we need to "get on board" with it. Councilwoman Keith stated that she would like to add that this has caused an extra load on the Employees, as well as, an extra strain on the equipment as a result of the leaves blowing into the drains and stopping up the sewage lines. Councilwoman Keith further stated that they need to think about getting a letter to the Lawn Services as well, to put them on notice, so that they can get with their Customers about bagging of the leaves. Councilwoman Keith stated that she hopes it comes a time when we will not be throwing away the leaves, but will be recycling them. Attorney Nunn further stated, in talking with the Public Works Director, that this will alleviate the use of the Bucket Truck and them having to go down into the ground, creating a big hole to pick the leaves up. President Williamson asked that we notify the Citizens a few days ahead of time, before enforcing this, in order to give them some notice. Councilwoman Keith stated that we do need to enforce this as soon as practical, but that we do need to let the Citizens know that we will be enforcing it. Ms. Smothers stated that Mayor Evans did mention that this would be "phased in", to allow the Citizens a chance to get used to the idea, so that there will not be any immediate repercussions when enforcing it. Ms. Smothers mentioned that PSA's would also be going out to notify the public.

G. Update on Franklin Street Sewer Project. Ms. Smothers stated to Council that Mr. Ray Hogg is present at tonight's Council Meeting, and asked that he come forward and address the Council with an update on the Franklin Street Sewer Project. Mr. Hogg addressed the Council and stated that he talked with the Contractor this morning, and they were supposed to begin unloading pipe today, however, the pipe is in Clarkesville, Tennessee, and the trucks cannot get down here (due to the recent icy weather conditions). Mr. Hogg stated that he is hoping that they will be able to get here by the end of the week. Mr. Hogg further stated that they did work yesterday, but did not on today, because they are waiting on the pipe to get here, and that is the biggest problem. Mr. Hogg stated that W. Dallas Avenue has been completed; behind the old Wal-Mart which is a major sewer line, and one of our largest (15 inch diameter) in the City which carries everything north of Highland Avenue, and west of Broad Street, that it was completed about 2 or 3 weeks ago; Jerome Street, alongside and behind Chat Academy - the pipe was completed this past Friday, and they fixed the street temporarily and as soon as the weather clears up, they are going to come back in and put a new street in there. Mr. Hogg stated as soon as the pipe gets here they are going to go to Franklin Street and Philpot Avenue; then to Second Avenue, behind Chat Academy, as well. Mr. Hogg further stated that they have 180 days to complete these Projects, and they are actually ahead of schedule, considering the bad weather we have had. Mr. Hogg stated the Contractor was working on Jerome Street, and had to finish that project, before he could move back on Franklin Street, and that took more time than he anticipated, but that Franklin Street is the next street that he is going to work on, as soon as he can get the pipe in. Mr. Hogg further stated that he will probably start at Philpot Avenue, because you always start "down hill", moving uphill, and he thinks that is most of where the problems are; the cave-ins, but, hopefully, by the end of this

week we should see something going on there. President Williamson stated that this is a "top priority" to get that done; a "top priority" to get that situation done. Mr. Hogg stated that he is doing all that he can do to make that happen, and President Williamson thanked him for doing so.

H. Parade Permit and Events Policy. Ms. Smothers stated to Council that we are making some changes to our Parade Permit and Events' Policy, and asked that Chief Riley come forward and address the Council with an explanation. Chief Riley stated that we are having to make changes to the Parade Permit and Events Policy, due to cost factors, and the Budget. Chief Riley further stated to make up that difference, they did an average of the costs of a Police Officer, and the average cost of a Crossing Guard. Chief Riley stated as can be seen on the Application, the average cost of Police Officers is a rate of \$26.70 per hour, and the Crossing Guards, at a cost of \$10.81 per hour. President Williamson asked if he was not going to issue a Permit until they are paid? Chief Riley replied, and stated that the Mayor will be handling that portion of it, and make a decision as to how he wants to handle that, but that everyone will be informed of how much it is going to cost them to be issued a Permit. Ms. Smothers stated that the Permits will not be issued unless the payment is received beforehand.

I. Resolution #R148-10/11 - #R158-10/11, and #R161-10/11. Ms. Smothers stated to Council that they should have several items on the Agenda, as it relates to Baseball Equipment and Uniforms, and Softball Equipment and Uniforms. President Williamson asked if anyone had a problem with taking all of those together? With consent of the Council, a motion was made by Councilwoman Newton, and seconded by Councilman Bowie, to place Resolution Numbers #R148-10/11 - #R158-10/11, #R161-10/11, and #R163-10/11 on Consent Agenda. 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 Newton, and seconded by Councilman Bowie, that the Consent Agenda be approved. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

J. Resolution #R163-10/11 - Award of Contract for Recreation Department Uniforms to G & K Services. Coach Reece was asked to come forward and address the Council with an explanation as it relates to the Departmental Uniforms. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Keith, to approve Resolution #R163-10/11, Award of Contract for Recreation Department Uniforms to G & K Services, in the amount of \$42.90 weekly per complete unit. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

K. Resolution #R164-10/11 - Award of Contract for Building Inspector's Office Uniforms to G & K Services. A motion was made by Councilwoman Keith, and seconded by Councilman Atchison, to approve Resolution #R164-10/11, Award of Contract for Building Inspector's Office Uniforms to G & K Services, in the amount of \$3.90 weekly for a complete unit. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

L. Resolution #R166-10/11 - Award of Contract for Cemetery Department Uniforms to G & K Services. During discussion, a motion was made by Councilwoman Benjamin, and seconded by Councilwoman Crenshaw, to approve Resolution #R166-10/11, Award of Contract for Cemetery Department Uniforms to G & K Services, in the amount of \$45.28 weekly for a complete unit. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

M. Resolution #R165-10/11 - Award of Contract for Public Works' Department Uniforms to G & K Services. President Williamson stated this Item is Tabled until the next Council Meeting, in an effort to get more clarification.

N. Resolution #R167-10/11 - Authorization to Accept the FY 2010 Community Development Block Grant for Construction of an Amphitheatre. Ms. Smothers asked Ms. Charlotte Griffeth to come forward and address the Council as it relates to Resolution #R167-10/11, Authorization to Accept the FY 2010 Community Development Block Grant in the amount of \$250,000.00, for Construction of an Amphitheatre. Ms. Griffeth addressed the Council, and stated that the City of Selma is the recipient of a FY 2010 Community Development Block Grant, for the construction of the Riverfront Amphitheatre in the City of Selma. Ms. Griffeth further stated that the Letter of Conditional Commitment, and the execution of the Grant Agreement has to be filed with the State of Alabama Department of Economic and Community Affairs (A.D.E.C.A.) for said Project. Ms. Griffeth stated that they have the understanding that we will use some Bond Money, and there is also a possibility of additional funding associated with this Project. During discussion, a motion was made by Councilman Atchison, and approved by Councilman Bowie, to approve Resolution #R167-10/11, Authorization to Accept the FY 2010 Community Development Block Grant for Construction of an Amphitheatre. 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. Councilwoman Crenshaw cast a nay vote.

O. Resolution #R168-10/11 - Authorization to Enter Into Agreement with Goodwyn, Mills and Cawood, Incorporated - Engineering Services As It Relates to the Amphitheatre Project. Ms. Griffeth addressed the Council as it relates to Resolution #R168-10/11, Authorization to Enter Into Agreement with

Goodwyn, Mills and Cawood, Incorporated - Engineering Services As It Relates to the Amphitheatre Project. President Williamson stated that action will be taken on this Item, after the Council has been made aware of how much it is going to cost, and the terms of said Contract, for the Engineering Services as it Relates to the Amphitheatre Project.

P. Resolution #R169-10/11 - Authorization to Enter Into Agreement with Galbraith and Associates, L.L.C. - Program Administration Services As It Relates to the J. L. Chestnut, Jr. Street Reconstruction Project. Ms. Griffeth addressed the Council as it relates to Resolution #R169-10/11, Authorization to Enter into Agreement with Galbraith and Associates, L.L.C. - Program Administration Services as it Relates to the Performance of Administrative Services for the City of Selma Amphitheatre Construction Project. President Williamson stated that action will be taken on this Item at the next Council Meeting, after the Council has had an opportunity to review said Contract.

Q. Report on City-Wide Clean-Up. Ms. Smothers stated to Council that we had a very wonderful day on Saturday; a nice City-Wide Clean-Up Day. Ms. Smothers asked Reverend Darryl Moore to come forward, and address the Council with a Report on the City-Wide Clean-Up Day. Reverend Moore addressed the Council and stated that the first City-Wide Clean-Up Day was a success. Reverend Moore further stated that we had approximately 120 Volunteers; namely, Volunteers from the United States Army, AmeriCorp Members, P.A.L. Center Volunteers, Youth Leadership of Selma, Representatives from Ward 4, Southside High School, Members of the Selma City Council, and Citizens of Selma. Reverend Moore stated that all of the Volunteers worked together to clean up the City of Selma, and they did a marvelous job. President Williamson concurred with Reverend Moore, and thanked him for the job that he did, and also thanked all of the Volunteers who worked with the City-Wide Clean-Up Day. President Williamson stated we look forward to the next quarter's City-Wide Clean-Up Day, which will be sometime in the Spring.

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

- (1) *Registration for 2011 Baseball and Softball Leagues - January 11, 2011 - February 21, 2011*
- (2) *City Offices will be closed Monday, January 17, 2011, in observance of the Dr. Martin Luther King, Jr. Holiday*
- (3) *Holiday Garbage and Trash Pick-Up Schedule*

CITY ATTORNEY'S REPORT

A. A.M.I.C. Statement. Attorney Nunn stated to Council that they should have before them an A.M.I.C. Statement/Invoice in the amount of \$1,610.01, and asked Council's favorable consideration of the same. A motion was made by Councilman Bowie, and seconded by Councilwoman Newton, to approve payment of the A.M.I.C. Statement in the amount of \$1,610.01. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

B. Resolution #R162-10/11 - Condemned Property. Attorney Nunn stated to Council that what they have before them is Resolution #R162-10/11, Condemned Property. Attorney Nunn further stated Resolution #R162-10/11 deals with dilapidated houses; a total of Five (5) 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 Code Enforcement Office and the City Clerk's office, the authority to proceed with forwarding notices, via certified mail, notifying each property owner and further advising that said property owner has forty-five (45) days in which to rectify the condition of said property. Attorney Nunn stated, as stated earlier, this is the Municipal Improvement Act, and, for the record, we did check with our Bond Attorneys, Maynard Cooper in Birmingham, and Mr. Frank McPhillips did state that the Bond Money, \$50,000.00 Per Council Member for Revitalization that was put into Demolition of properties, that the money in the Bond can be used under the Municipal Improvement Act. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Benjamin, to approve Resolution #R162-10/11, Condemned Property. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

C. Resolution #R160-10/11 - A Resolution To Set the Date for a Special Election and to Request the City Attorney to Seek Pre-Clearance from the United States Department of Justice. Attorney Nunn stated, per the Council, during its last Council Meeting we did set an Election Date for May 24, 2011, and we did take a vote on the same. Attorney Nunn further stated at this point and time, we have proceeded to place it in Resolution form, and that the said Resolution is also directing the City Attorney to seek Pre-Clearance from the United States Department of Justice for holding a Special Municipal Election on Tuesday, May 24, 2011, and if necessary, a Run-Off Election on Tuesday, July 5, 2011, for the purpose of filling the

vacancy in Ward 3. Attorney Nunn stated we are preparing to get the documents in the mail on tomorrow, to start the process of seeking the Pre-Clearance from the United States Justice Department, which takes approximately Sixty (60) days. Attorney Nunn stated to Council that Resolution #R160-10/11 is ratifying the action that the Council took during the last Council Meeting in setting the date of May 24, 2011 for the Special Election, and also gives him the directive to proceed to seek Pre-Clearance from the United States Justice Department for the Special Election. A motion was made by Councilman Atchison, and seconded by President Williamson, to approve Resolution #R160-10/11. A roll call vote was taken and the motion passed with a majority vote of the Council. There were six affirmative votes and one abstention. Councilwoman Dr. Newton abstained from voting. Thereafter, Councilwoman Crenshaw, for the record, made a corrective change in her vote. There were five affirmative votes, one nay vote, and one abstention. Councilwoman Crenshaw cast a nay vote. Councilwoman Dr. Newton abstained from voting.

D. Election Calendar - Ward 3. Attorney Nunn stated to Council that they should have before them a proposed Election Calendar for Ward 3, which was presented, in part, to them during the last Council Meeting. Attorney Nunn further stated that it changes a little, but he thinks it is the "final" draft. Attorney Nunn stated, as can be seen, it reflects that tonight is Councilwoman Dr. Newton's last day of Council. Attorney Nunn stated on tonight, we will declare the seat vacant, and proceed with another Resolution. Attorney Nunn stated that he will come back and finish his Report at that time. Attorney Nunn stated the dates of May 24, 2011 for the Special Election and July 5, 2011, for the Run-Off Election, along with the Canvassing of the Election on July 12, 2011, Date for the Oath of Office, and the Council Person taking His or Her Seat on July 26, 2011, have been placed in the Submission Letter to the U. S. Justice Department. President Williamson stated that the Election Calendar has been dictated by what the Law is, and Attorney Nunn concurred with him.

E. Letter of Resignation from Councilwoman Dr. Monica Newton. Attorney Nunn stated to Council that we have received a Letter of Resignation from Councilwoman Dr. Monica Newton for Ward 3, dated January 11, 2011 and addressed to the City Council, Mayor, and the City Attorney. Attorney Nunn read the Letter of Resignation in its entirety.

BUSINESS ITEMS:

I. NOISE ORDINANCE

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

II. PLAQUE COMMEMORATING BENJAMIN STERLING TURNER

Per Councilwoman Keith, this Item will be Continued.

III. PLAYGROUND REHABILITATION

Councilwoman Newton stated to Council that there are a couple of things on the invoice that she has not seen installed yet, but, that the weather has been prohibitive in finishing the concrete sidewalk that will finish the handicap accessible ramps to the Playground. Councilwoman Newton stated that this is Phase Two of the Playground Project, and she hopes that tomorrow will get affirmative "word" from Strategic Alliance for help, for an additional \$10,000.00 for the Playground Project. Councilwoman Newton further stated that the Rotary Club, partnered in making a handicap accessible playground for our children, and has received a grant of \$1,500.00 to be used towards our playground at Valley Creek, and Councilman Atchison has graciously agreed to oversee that, and we are excited about that.

IV. LANDFILL PROJECT

Councilwoman Newton stated, as they already know, she was trying to work with Councilwoman Crenshaw, to present something to them tonight, as it relates to the Landfill Project. Councilwoman Newton further stated, as they also know, they had money set aside for the beautification and re-purification of the land. Councilwoman Newton stated that they were in receipt of a Contract, that she gave to them earlier, from Kelly Landscape Architects, basically presenting the "notion" that Kelly Landscape Architects would present the design to A.D.E.M. for the Landfill Buffer. Councilwoman Newton further stated that they were supposed to have a meeting with A.D.E.M. earlier this month, but due to scheduling conflicts, they did not meet. Councilwoman Newton stated to Council that she would like to propose that they begin the process, replenishing the buffer area which is a couple of acres of trees. Councilwoman Newton further stated that the estimates from Mr. Kelly were in the \$30,000.00 - \$40,000.00 range, to replenish trees in that area, that would be resilient to the methane gas, and would grow and help provide that visual buffer that they were looking for, along the waterfront area. Councilwoman Newton stated that Mr. Kelly stated that he could do this project for \$7,300.00, for his services to do the design implementation, the bid out of the process, and to work with A.D.E.M. in trying to get approval for this. Councilwoman Newton stated that they were hoping that the money that they had conserved from Mr. Kelly could be used to do the environmental study, performed

by Ms. Debra Love. Councilwoman Newton further stated that Councilwoman Crenshaw and the Office of Planning and Development have had some discussion with Ms. Debra Love about performing an environmental study, which can be done for about \$5,000.00, and that is what she is presenting to the Council. Councilwoman Newton stated that it is her hope that the Council will approve the negotiations between the Mayor and those Entities, to move forward to begin to study the Project that they have laid out, and then they can have a chance to look at the Contract thoroughly and review them and do their due diligence with them in the future. Councilwoman Newton further stated that they have asked Mr. Kelly to come several times, and he has come 2 or 3 times, and that he has been out looking at the property to see what can be done with it. Councilwoman Crenshaw stated that she wants to negotiate with Ms. Love, about what she is going to bring in her Contract, and that she thinks it is very important that they do this, that she concurs with Councilwoman Newton, and wants to move forward with this. Councilwoman Crenshaw stated that they are only asking that they approve moving forward with the Project, and that they are not going to do any work until the Council approves the Contract. During discussion, a motion was made by Councilwoman Newton, and seconded by Councilwoman Crenshaw, to move forward with the Landfill Project including the design followed through bid aspects by Mr. Kelly for the buffer, and an environmental study to be performed by Ms. Love, if both contracts, after review at the next Council Meeting, are approved. Councilwoman Newton restated her motion, and stated that the motion would be to move forward with the Landfill Project, including reviewing contracts from Kelly Landscape Associates for the design and bidding oversight of the buffer planning portion, and reviewing of contracts from Ms. Debra Love in regard to the environmental study on the additional 5 acre portion, and that no work would be done until the Council approves the Contracts. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

V. MUNICIPAL IMPROVEMENT ACT

Councilwoman Newton stated that that was the clarification that she wanted from Attorney Nunn, and she was really glad to hear that they can do that. Councilwoman Newton further stated if they look at the statistics on the Municipal Improvement Act, the Bond Fund for the Neighborhood Restoration Account is \$333,000.00 total for all of them, and that some of the Council Members have not spent any money on building restoration and demolition in their Wards. Councilwoman Newton stated she does not expect everyone to give their \$50,000.00 to restoration of the Y.M.C.A. Building, but she thinks it would be good if they could make a contribution that could be some "SEED" money towards them doing something. Councilwoman Newton further stated she would suggest that they consider spending some money out of the Bond Fund for Neighborhood Restoration, and they each give generously towards that Project. Councilwoman Newton stated that she does not know if anyone up there is interested in doing that, but she knows that she would, and she would hope that others would, and that this will give Planning and Development something to move with.

VI. WARD 4 QUARTERLY MEETING

Councilwoman Benjamin stated that the Quarterly Meeting for Ward 4 will be at Magnolia Gardens I on Monday, January 24th, at 6:00 p.m.

VII. PLANNING COMMITTEE MEETING ON "TURNING THE TIDE ON YOUTH VIOLENCE"

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.

VIII. WARD 4 COMMUNITY DEVELOPMENT

Councilwoman Benjamin stated to Ms. Smothers that she will have a Spreadsheet, just as she did with Code Enforcement and Public Works, when the Mayor gets back, that she will be checking on, perhaps twice a month, until completed.

CLOSING REMARKS BY EACH COUNCIL MEMBER, IN HONOR AND APPRECIATION OF COUNCILWOMAN DR. MONICA NEWTON.

President Williamson stated that we are saddened by the resignation of Dr. Newton, and he thought that this would be an appropriate time, if each Council Member chooses, to make remarks to, and/or about Dr. Newton, they could do so. President Williamson stated that he may "skip" around some, because they have something "Special" for Dr. Newton.

Councilman Bowie stated to Councilwoman Newton that it has been fun working with her, and that it seems like yesterday that they spent time in Orlando, Florida. "You will be missed; you were a great asset to Selma

and Dallas County, and I know you are going to do well once you go to Atlanta. You truly exemplified what leadership is about, and you truly were a pillar in this community. Thank you."

Councilwoman Benjamin stated to Councilwoman Newton: "Dr. Newton, yes, Councilman Bowie just brought back 'Orlando, Florida Memories', and I do have some fond memories of our first "Getting to Know Each Other Party" on the airplane with you and Councilwoman Keith when we traumatized a couple of Teenagers who were sitting in front of us, when we were talking about 'Anatomy', and didn't know that they were listening, but it was a good talk; you are a Doctor, and we did use correct terms. But it was so much of fun, because I didn't know you had that 'side' of you. You will truly, truly be missed! You were my "fun" Partner. You love playground stuff, and all those fun things to bring to Selma. I will miss that about you, and your studying and reviewing of papers, and your bringing out things that we may have not remembered to bring out concerning the papers. Thank you for that leadership, for not just 'talking the talk, but actually walking the walk', and putting all of those 'irons in the fire' for the person that comes behind you. I hope that person can pick up that mantle that you're leaving behind, and complete some of your projects and some of your 'works' because you have so many. And, I hope that they can . . . not fill your shoes; your shoes cannot be filled, but kind of pick "that" up, and keep it going, and take it to the next level. You and your husband, and your cute little son will truly be missed. Make sure you stop by and see us when you are back in town. Thank you so much. We do appreciate, and love you."

Councilman Atchison stated to Councilwoman Newton: "Dr. Newton, it's been my pleasure. It's only been a couple of months. But, I knew you and Wiley a little bit before; with his association with Dr. Knight. I think you are, as Corey said, the 'rubber meets the road' kind of a Leader, and I think you can have inspirational leaders, motivational leaders, and spiritual leaders, and I think you can have leaders that lead by example, and I think that you are all of those. I wish you and Wiley, and Jackson the best! I know how it is to have sick parents, and at the same time, struggle with juggling a career, a marriage, and a young child. I know that if anybody is up to the task, it's you, and your love for the Lord has been a strong witness to me. I thoroughly enjoyed painting that playground with you, and hearing your story about you and Wiley. You are just a real person, and I thank you for helping me with the transition, coming here. Thank you. Best of Luck!"

Councilwoman Crenshaw stated to Councilwoman Newton: "First of all, I think you need to tell the truth about some things, and leave out a lot of the other things. To me, I don't think you're that much 'fun'; sometimes you are. You have been fun. You are assertive. You are aggressive; some of the same adjectives that they would describe me. When I first met you, you as a new Council Member, were the only one who said to me that you wanted to get to know me, and we never got the opportunity to cross those paths in getting to know one another. I think a lot of elements brought in that non-connection with us, which we should have really looked over. We started to do, 'what we started to do', in the end. But, what I found out about you in the end is that, if there is something to be done you mean to go after it, and get that done. You like those "I's" dotted, and those "T's" crossed, but that's okay; it's just the way you do things. In this short process of the playground, we've done some things. I've learned that we really will have to get to know one another; overall. Because all of the qualities that you brought in combination with what I possibly could have put together as we have been working together, we probably could've done a lot more than we've done in this very end. I have an appreciation for your community spirit. And that's where I think people have a conflict with you; is because of the way you go after community, and it's very few people who want to do that. Safe Schools, Safe Walk for Children, Playgrounds, putting Sidewalks, Buildings, and Abandoned Properties; you have worked with all of that, and then working with you on this last project I picked up quite a bit in terms of what it would take to even get to the root of something, and I really do appreciate it because you gave, and I can truthfully say to you that through the processes that we have been through, you've made a difference to me on how to get things done, and I really do appreciate that, and I want you to know that. And, you make sure that that little token that I gave you; may you read it often. It is very important that you move forward in Georgia."

Councilwoman Keith stated to Councilwoman Newton: "I took the liberty, on behalf of the Council and the City, that I would like to read:

WHEREAS, on August 26, 2008 Councilwoman Dr. Monica Q. Newton was elected to serve as City Councilwoman for the City of Selma's Ward 3 for the term beginning November 4, 2008, and

WHEREAS, Councilwoman Dr. Monica Q. Newton has, in that capacity accomplished much for the City of Selma in general, Ward 3 in particular, and Dallas County, and

WHEREAS, said accomplishments include, her efforts to strengthen and expand the Neighborhood Watch Program; the opening of a Neighborhood Clinic; improvement to one of Selma's main recreational areas; procuring needed playground equipment and upgrades for Bloch Park; among many other projects in Ward 3, and

WHEREAS, said accomplishments include Procurement of monies for Safe Routes to School; a mobile health clinic for underserved citizens; and provision of health screening for festivals, neighborhood meetings, and fairs, and

WHEREAS, Councilwoman Dr. Newton has participated in numerous training and educational opportunities in order to better serve the citizens of Selma and Dallas County, both as a member of the Selma City Council, and in her profession as Family Medicine Practitioner, and

WHEREAS, she has practiced Family Medicine passionately, including delivering and treating babies, and providing medical care to persons of all ages, and

WHEREAS, while providing the plethora of work and services for the Citizens of Selma, Councilwoman Dr. Newton maintained her role of Wife and Mother above all else.

NOW, THEREFORE, BE IT RESOLVED, that January 11, 2011 be dedicated to Councilwoman Dr. Monica Q. Newton in recognition and appreciation for her contributions to the City of Selma.

Said Proclamation was received with a "Round of Applause" in Honor of Councilwoman Dr. Monica Newton. President Williamson thanked Councilwoman Keith for presenting the Proclamation on behalf of the Council and the City of Selma.

President Williamson stated to Councilwoman Newton: "Dr. Newton, Monica, having known you for ten (10) years, and even knowing you when you came to our City and affectionately known as Dr. Quinn, I was just delighted when you were elected to be a Member of the Selma City Council. The one thing, above all else, that has impressed me about you is your Faith in the Lord, and your Biblical World and Life that you abide by, and I know that is at the basis of all of the things that you have done. That's what motivates you, and, I've seen you in all of the areas that all of the Council Members have touched on. But, particularly, the "Doc In A Bus" Program is certainly the Lord's Great Work of compassion where hundreds of people are receiving free health care; mainly because of your efforts. The whole community owes you a Vote of Thanks! The other thing that I've seen you act in a Christian way is towards people who criticize you; people who you were actually friendly towards, and welcomed into this community and yet as time went by they actually became very critical of you, and yet you did not respond in the same kind. And, so the thing that has really impressed me is, again, your Faith in the Lord, and the way you look at all things from a Biblical way, in my opinion. And, on behalf of the Selma City Council, I want to present you with this Plaque, and it says: "In appreciation of Dr. Monica Newton, Member of the Selma City Council, 2008 - 2011; Well Done, Good and Faithful Servant", which was received with a "Round of Applause" in Honor of Councilwoman Dr. Monica Newton.

Councilwoman Newton stated: "I think it'll just be a miracle; lots of things have been miracles, but, to have made it through the week with lots of goodbyes and not a whole lot of tears. I think, I guess, Selma has made such an impression on me and my life that I don't really feel like you can ever leave Selma. I mean, you can physically change your address; you can be in a different part of the Country, but it'll always be part of your heart, and I think that there's nothing you can do that can prepare you for a day, or a speech. In trying to figure out what I could say to people in Selma, I just looked at lots of resignation speeches, to try and come up with something intelligent and eloquent to say. But, all I can tell you is that public service is that - it's service. We've sacrificed a lot as a Family, and I feel like I've sacrificed a lot as a person. We were willing to do that - we did that because we felt like we had what it took at a time when Selma needed us. We also felt like everything I did, don't think I did it for you; I did it for my Son; we were putting and investing our Family and our future here. A lot of times people think, you're doing it for yourselves but really our investment was in our home, our neighborhood, our practice; everyday we lived here we gave it 100%. But, tonight it seems like a lot of people have been talking about the Lord, but the verse that keeps coming in my head is, "Obedience is Better than Sacrifice", and the Bible says to Obey your Mother and Father, and when God Moves in your life, you just have to do what the Lord has for you, and you have to take the steps you need, and you really can't look back. And, you all have said a lot of really sweet things about me, but there are plenty of people that have bad things to say about me, and that's why, too. I just think everybody is entitled to their opinion, and I wanted to share that Councilman Tucker expressed his appreciation for the work that we did together on the Council, and he's not here to do that publicly, but Councilman Tucker also expressed his gratitude for getting to know me, and the experiences we've had on the Council. We worked together on a lot of projects. Mayor also called this afternoon and expressed that he was not able to be here tonight, and he wanted me to know how much he enjoyed working together. You know, nobody can understand what it's like to walk in your shoes until they walk in your shoes, and you all know what it was like to be on the flip side, and be in the Council Chamber, and listen to people talk up here. We all did that, and a good bit, before we got elected. It's different, and the stresses and pressures that we have when we're trying to do the right thing. A lot of people think that we don't try and do the right thing up here, but I think all of you as I've gotten to know you, you serve your Constituents well, each and every one of you, and it's a pleasure to work with you, and I'm proud of each of you. You know, we've been through a lot; we lost Dr. Allen. We've had a lot of challenges; a lot of triumphs, I think, but there have been a lot of challenges a long the way. We've made mistakes along the way; none of us are perfect. I think in hindsight, sometimes, you look at your decisions and wonder about little things that maybe you would've done differently, but I think, in general, everybody votes their conscience. There's no group-think; there's no 'everybody coming together, and these four, five, etc.' People have hypothesized that all of that stuff goes on but it doesn't; each one of us

here are independent thinkers and I don't think we would be up here if we weren't because people need people that they know, that they can trust what they're saying. I've always been a person that has spoken my mind; I joke about my Mom, that she's the type of person who thinks that everybody is entitled to 'her' opinion, and the 'fruit doesn't fall too far from the tree'. But, I hope that the opinions that I've expressed have helped people understand where I was coming from, and that you all have gotten to know me a little bit as we've gone through this process. So, thank you to everybody, for your kind words, and for your understanding in these difficult times because it's been stressful, and I've wanted to go 'off' several times when things didn't go the way I thought they should, but I think we are all trying to do the best we can. I'm hopeful about the election, that we'll have somebody with energy and enthusiasm; that's willing to learn. I'm trusting each one of you up here to take that person under your wing, with very little time to accomplish something before they will be running again for election. I'm trusting that you will help them, and I'm trusting that you will continue to follow through with the ideals that you set out for, when you were elected. So, thank you everybody. I Love you all, and just thank you so much for the time we've had together." Councilwoman Dr. Newton was received with a "Round of Applause".

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Benny Tucker, Chairman

Councilman Tucker was absent from the Council Meeting.

ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman

President Williamson stated, as they all know, they have lost their Administrative Assistant, Ms. Diana Johnson, and the job has been posted and will remain open until January 18th, and anyone who is interested can go to the Personnel Office, and fill out an application. President Williamson asked that the Administrative Committee review the applications, and select 3 - 5, and bring to the Council, so that interviews can be conducted by the Council.

PUBLIC SAFETY COMMITTEE - Councilwoman Monica Newton, Chairman

No Report.

COMMUNITY DEVELOPMENT - Councilwoman Susan Keith, Chairman

No Report.

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

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

DISCRETIONARY COMMITTEE - President Cecil Williamson, Chairperson

President Williamson stated that we did get the \$250.00 in Discretionary Funds needed for the Unity Breakfast next Monday in Honor of Dr. Martin L. King, Jr. Day.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

No Report.

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

Councilwoman Crenshaw made a report.

CITY ATTORNEY'S REPORT - CONTINUED

F. **Resolution #R159-10/11 - A Resolution to Declare Ward 3 Seat Vacant.** Attorney Nunn stated to Council that what they have before them is Resolution #R159-10/11, A Resolution to Declare Ward 3 Seat Vacant, created by the Resignation and Relocation of Councilwoman Dr. Monica Newton to Gainesville, Georgia. Attorney Nunn read Resolution #R159-10/11 in its entirety. A motion was made by Councilman Atchison, and seconded by Councilwoman Crenshaw, to approve Resolution #R159-10/11, A Resolution to Declare Ward 3 Seat Vacant, Authorizing the City of Selma to Proceed in Filling the Same for the Unexpired Term of the Office in Accordance with the Laws of the State of Alabama. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were six affirmative votes and one abstention. Councilwoman Dr. Newton abstained from voting.**

**"MOMENT OF SILENCE"
AND PRAYER
IN MEMORY OF THE VICTIMS OF
THE SHOOTING IN TUSCON, ARIZONA ON SATURDAY, JANUARY 8, 2011**

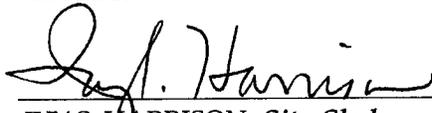
ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Benjamin, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 8:10 p.m.

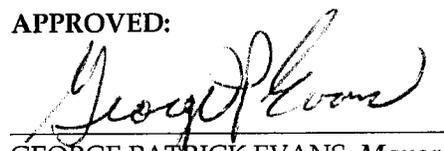


DR. CECIL WILLIAMSON, *Council President*

ATTEST:


IVY S. HARRISON, *City Clerk*

APPROVED:


GEORGE PATRICK EVANS, *Mayor*