

MINUTES OF THE  
SELMA CITY COUNCIL  
APRIL 20, 2010  
5:00 P.M.

Call to Order

*MOMENT OF SILENCE IN HONOR OF  
OUR BELOVED CITY COUNCIL PRESIDENT, DR. GERALDINE ALLEN*

Invocation: Minister Jakki Caldwell-Phillips, Pastor  
Temple Gate C.M.E. Church, Minter, AL  
Union Chapel Church, Ward, AL

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, April 20, 2010 at 5:00 p.m.

**ROLL CALL**

The following members were present during roll call: Council President Dr. Cecil Williamson and Council Members Councilwoman Susan Keith, Councilwoman Dr. Monica Newton, Councilwoman Angela Benjamin, Councilman Samuel Randolph, Councilman Benny L. Tucker, Councilwoman Bennie R. Crenshaw, and Councilman Corey Bowie. Others present were Mayor George Evans, City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Ms. Brenda Smothers.

**APPROVAL OF AGENDA**

President Williamson asked for the approval of the agenda items. A motion was made by Councilman Bowie, and seconded by Councilwoman Newton, 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 April 20, 2010 regular meeting minutes. A motion was made by Councilwoman Newton, and seconded by Councilman Randolph, to continue this item until the next Council Meeting of April 27, 2010, due to some of the Council Members not having had a chance to review the same. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

**CITIZENS' REQUEST**

Students Who Attended a Miami, Florida Trip to Assist Babies of Haiti (Marcus Cochran, Brendan Collins, and Sierra Strong)  
Re: Report on Miami Trip - Filling Boxes for the Babies of Haiti

Following the report made, the Students extended "Special Thanks" to the Council Members for all of the assistance provided to make it possible for them to make the trip to Miami, along with "Special Thanks" to Councilwoman Keith for coming to "see them leave". The Students also presented "Beautiful Roses" to Councilwoman Crenshaw as a "small token" of their appreciation to her for her hard work and dedication to the City and to them, the Future Leaders. Mayor Evans stated he would like to take this time to congratulate our Youth, as well as, Councilwoman Crenshaw for taking the young people to Miami. Mayor Evans further stated he has a Proclamation that was given to him to read which honors the *Selma-Dallas Future Leaders of Tomorrow*, serving as Ambassadors representing Selma and

Dallas County. Mayor Evans read the Proclamation in its entirety from the Mayor of North Miami, Florida, on behalf of the City Council and Citizens of North Miami, Florida, proclaiming April 13, 2010, as "Selma-Dallas County Future Leaders of Tomorrow Day", and urges all Citizens to recognize and celebrate the contributions of Selma-Dallas Future Leaders of Tomorrow have made to our Community. They were given a "round of applause" for this Honor and Recognition. The Youth also presented a Certificate of Appreciation to Ms. Janie Venter, former City Councilwoman, for her Leadership and assistance as a Chaperone, for the Miami Trip. Mayor Evans again thanked Councilwoman Crenshaw and the Selma-Dallas Future Leaders of Tomorrow, for their efforts in going and representing the City of Selma and Dallas County, and they were given another "round of applause". Mayor Evans stated the Proclamation will be placed within City Hall, in a designated location.

Dr. Ellen Carter  
Re: Waiver of Building Usage Fee (*Performing Arts Center*)

Dr. Carter stated she was before the Council, seeking approval from the Council for the fee to be waived at the Performing Arts Center, for the "Selma Youth and Community Orchestra Concert", on May 1st, at 10:00 a.m., and would also like to be able to use it on Friday, April 30<sup>th</sup>, for the Rehearsal. Dr. Carter further stated that President Dr. Allen was their best supporter, and that they already miss her terribly. Dr. Carter stated she came to their Concerts and Recitals, and also donated funds to make it work. Dr. Carter further stated Dr. Allen also made it so that she did not have to come and ask for funds, and did not have to ask for permission to use the Performing Arts Center for our Children; she just took care of everything for our Kids. A motion was made by Councilwoman Newton, and seconded by Councilman Bowie, to waive the Building Usage Fee at the Performing Arts Center, to allow for the "Selma Youth and Community Orchestra Concert", on May 1<sup>st</sup>, at 10:00 a.m., and for the Rehearsal on April 30<sup>th</sup>. A roll call vote was taken and the motion passed with a unanimous vote of the Council. Dr. Carter invited everyone to come, and stated she hopes to see everybody at the Concert.

## MAYOR'S REPORT

### *SELMA-DALLAS COUNTY YOUTH LEADERSHIP RECYCLING POSTER AWARD WINNERS*

#### SENIOR DIVISION

##### 1<sup>ST</sup> PLACE

FRANCHESTIA FLENORY (KEITH HIGH SCHOOL)

##### 2<sup>ND</sup> PLACE

ELLEN WILSON (DALLAS COUNTY HIGH SCHOOL)

##### 3<sup>RD</sup> PLACE

TYSHEIKA THOMPSON (DALLAS COUNTY HIGH SCHOOL)

#### JUNIOR DIVISION

##### 1<sup>ST</sup> PLACE

LYDIA MASSEY (HOME SCHOOL)

##### 2<sup>ND</sup> PLACE

JUSTICE OBASOHAN (CHAT ACADEMY)

##### 3<sup>RD</sup> PLACE

ELIZABETH ALLEN (KNOX ELEMENTARY SCHOOL)

Mayor Evans congratulated all of the "Recipients" for their accomplishments, and applauded Mrs. Carolyn Powell, and the Leadership Group, for working on this Project. Mayor Evans stated each of the "1<sup>st</sup> Place" Winners, in each Division, will be presented with \$100.00 Certificates.

### *NATIONAL SEXUAL ASSUALT AWARENESS MONTH, APRIL, 2010*

Mayor Evans read the "National Sexual Assault Awareness Month for April, 2010" Proclamation in its entirety, whereby he and the City Council proclaim April, 2010, as "National Sexual Assault Awareness Month, in the City of Selma, and encourage all Citizens to support efforts to help better understand the issues, complications and damages related to sexual assaults, by working together and reducing the incidence of sexual assault, and helping all who have experienced this terrible crime.

### *FAIR HOUSING MONTH, APRIL, 2010*

Mayor Evans read the "Fair Housing Month for April, 2010" Proclamation in its entirety, whereby he and the City Council proclaim April, 2010, as "Fair Housing Month for April, 2010", in the City of Selma for the significance of Fair Housing to our way of life and encourage all Selmians to observe and support both the letter and spirit of the Fair Housing Law as an expression of the individual rights guaranteed by the United States Constitution and the Constitution of the State of Alabama.

A. Monthly Financial Report - March, 2010. Mayor Evans stated to Council that they should have before them a copy of the Monthly Financial Report for the Month of March, 2010. Mayor Evans further stated said Report illustrates the amount of sales tax received, from October, 2009 until present, and it shows that each month, with the exception of November, 2009, we had a "down turn" in terms of monies received;

Sales Tax Collections were down in the amount of \$184,807.22. Mayor Evans stated a total of \$20,126.74 was collected during the month of March, 2010. Mayor Evans encouraged as many as possible to please do as much as you can to shop in Selma, and that this does help our revenues with regard to sales tax and retail business in the City of Selma.

**B. Police Department Reports - March, 2010.** Mayor Evans stated to Council that they should have before them a copy of the Police Department Report, for March, 2010, which gives all of the incident report totals by percentages for each Ward, along with a copy of the Loud Noise Statistics. Mayor Evans further stated these reports were prepared by Chief Riley and his Staff, for the month of March, 2010, and that Chief Riley is present tonight if the Council has any questions for him. Mayor Evans stated the report reflects the "numbers" in terms of the Wards, based on the incidents that occurred. Mayor Evans further stated 1,133 Incidents were reported, outside of the Wards, with an overall total of 2,581, for Incidents reported. President Williamson stated that he does not have the report in front of him, but if he remembers correctly, there was a total of 73 Loud Music Incidents reported, with 16 Loud Noise Citations issued. Mayor Evans concurred, and stated that there have been a lot of noise citations, and that Police Officers are actually issuing citations to individuals. Mayor Evans further stated he has also asked the Municipal Judges to not dismiss any noise citations when they come before the Court.

**C. Code Enforcement Reports - March, 2010.** Mayor Evans stated to Council that they should each have before them a copy of all of the identified properties in the City, for the Month of March, 2010. Mayor Evans further stated to Council that if they should have questions, to please forward those to him.

**D. Update on "Moment of Remembrance" - Proclamation - "National Moment of Remembrance".** Mayor Evans stated to Council that a Proclamation has been prepared to proclaim Memorial Day, May 31, 2010, as a "Day" for all to participate in the "National Moment of Remembrance" and designate 3 o'clock p.m., wherever you are, as a time to pause and unite in remembrance, in an effort to make this Nation, One! Mayor Evans further stated said Proclamation represents a joint effort by the Mayor and Council, and the City of Selma, Probate Judge Ballard and Dallas County, Valley Grande Mayor, and its Citizens, along with the Police and Fire Chiefs, and the Sheriff of Dallas County. Mayor Evans stated to Council that they will be receiving more information as it relates to this in the near future.

**E. Update on Summer Youth Employment Program.** Mayor Evans stated to Council that they should have within their packets information as it relates to the "numbers" and the Summer Youth Employment Program. Mayor Evans further stated that we are encouraging Citizens and Businesses to please support us, in allowing the Youth to have Summer Employment, for Six (6) Weeks at Four (4) Hours a day. Mayor Evans stated if you can not give the entire amount \$750.00 that is being requested, for the Summer Youth Program, then whatever you are willing and able to support with, we would graciously appreciate it. Mayor Evans asked Ms. Valeria Jones to come forward, and address the Council. Ms. Jones addressed the Council and stated that Applications will be made available to all City and Private Schools, from April 5, 2010 through April 23, 2010, and that the Program will run from June 1<sup>st</sup> through July 9<sup>th</sup>. Ms. Jones urged Businesses and the Community to participate in this effort, and stated that the deadline date for receipt of funds is set for May 7, 2010. Mayor Evans stated the tentative date for the Summer Youth Employment Program Lottery is scheduled for Tuesday, May 18<sup>th</sup>, but that he would like for the Council to place this item under the "Business Items", to be discussed further later during the Council Meeting.

**F. Census 2010 - Update.** Mayor Evans stated to Council that they should have a copy of the Census 2010 Update, and as can be seen we are off on the "numbers", compared to year 2000 and April 20<sup>th</sup>, which shows a percentage of only 63% who have returned their forms back in within the City of Selma. Mayor Evans further stated he cannot tell us enough how important it is that we encourage our Neighbors and Friends, Churches and other places, to send the Census Form back; 10 questions, approximately 10 minutes to complete and mail it back in. Mayor Evans stated as we know, it will be Ten (10) years before this comes up again, so any help anyone can offer on this matter will be appreciated.

**G. #R206-09/10 - Resolution Awarding Contract for the Purchase of Two (2) Zero Turn Mowers for the Recreation Department to Blue Ox Company.** Mayor Evans stated to Council that they should have within their packets Resolution #R206-09/10, Resolution Awarding Contract for the Purchase of Two (2) Zero Turn Mowers to Blue Ox Company for the City Recreation Department. Mayor Evans further stated Coach Reece is present if the Council has any questions of him. Mayor Evans asked Council's consideration of the same. A motion was made by Councilman Tucker, and seconded by Councilman Bowie, to approve Resolution #R206-09/10, Resolution Awarding Contract for the purchase of Two (2) Zero Turn Mowers for the Recreation Department, via the Bond Fund Account, to Blue Ox Company. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

**H. #R207-09/10 - Resolution Awarding Contract for the Purchase of One (1) Zero Turn Mower for the Cemetery Department to Blue Ox Company.** Mayor Evans stated to Council that they should have within their packets Resolution #R207-09/10, Resolution Awarding Contract for the Purchase of One (1) Zero Turn Mower for the Cemetery Department to Blue Ox Company. Mayor Evans further stated Mr. Willie Peoples is present if the Council has any questions of him. Mayor Evans asked Council's consideration of the

same. A motion was made by Councilman Bowie, and seconded by Councilwoman Keith, to approve Resolution #R207-09/10, Resolution Awarding Contract for the purchase of One (1) Zero Turn Mower for the Cemetery Department, via the Bond Fund Account, to Blue Ox Company. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

I. #R208-09/10 - Resolution Awarding Contract for the Purchase of One (1) Tractor Loader Backhoe for the Cemetery Department to SunSouth, LLC. Mayor Evans stated to Council that they should have within their packets Resolution #R208-09/10, Resolution Awarding Contract for the Purchase of One (1) Tractor Loader Backhoe for the Cemetery Department to SunSouth, LLC. Mayor Evans asked Council's consideration of the same. A motion was made by Councilman Tucker, and seconded by Councilman Randolph, to approve Resolution #R208-09/10, Resolution Awarding Contract for the purchase of One (1) Tractor Loader Backhoe for the Cemetery Department, via the Bond Fund Account, to SunSouth, LLC. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

J. #R209-09/10 - Resolution Awarding Contract for the Purchase of One (1) Pick-Up Truck for the Cemetery Department to Moore-Stewart Ford Company. Mayor Evans stated to Council that they should have within their packets Resolution #R209-09/10, Resolution Awarding Contract for the Purchase of One (1) Pick-Up Truck for the Cemetery Department to Moore-Stewart Ford Company. Mayor Evans asked Council's consideration of the same. A motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve Resolution #R209-09/10, Resolution Awarding Contract for the purchase of One (1) Pick-Up Truck for the Cemetery Department, via the Bond Fund Account, to Moore-Stewart Ford Company. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

K. #R210-09/10 - Resolution Awarding Contract for the Purchase of Four (4) 2010 Police Package Sedans to Moore-Stewart Ford Company. Mayor Evans stated to Council that they should have within their packets Resolution #R210-09/10, Resolution Awarding Contract for the Purchase of Four (4) 2010 Police Package Sedans for the Cemetery Department to Moore-Stewart Ford Company. Mayor Evans asked Council's consideration of the same. A motion was made by Councilman Randolph, and seconded by Councilman Bowie, to approve Resolution #R210-09/10, Resolution Awarding Contract for the purchase of Four (4) 2010 Police Package Sedans for the Cemetery Department, via the Bond Fund Account, to Moore-Stewart Ford Company, who was within Three Percent (3%) of the lowest bid offer, and falls within the 3 Percent Rule of the State of Alabama's Competitive Bid Law. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

L. #R211-09/10 - Authorization to File Application for the Selma Digital Opportunity AmeriCorps Program. Mayor Evans stated to Council that they should have within their packets Resolution #R211-09/10, as it relates to the Selma Digital Opportunity AmeriCorps Program. Mayor Evans asked Ms. Charlotte Griffeth to come forward and address the Council as it relates to questions that they may have had. Ms. Griffeth addressed the Council and offered an explanation as it relates to Resolution #R211-09/10. Resolution #R211-09/10 represents the authorization for the City of Selma to submit a FY 2010-2011 competitive grant application to Corporation for National and Community Services (CNCS), with a total cost of the project in the amount of \$455,924.00, and the maximum Grant amount is \$260,909.00. Resolution #R211-09/10 also represents the City of Selma pledges to provide approximately \$121,965.00 in cash match and, an in-kind match in the amount of approximately \$73,050.00, to be appropriated in the FY 2010-2011 Grant Match Budget, to fund the Selma Digital Opportunity AmeriCorps Program. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Keith, to approve said Resolution #R211-09/10. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

M. Condemned Houses - Estimated Cost of Demolition. Mayor Evans stated to Council that they should have within their packets a list of Condemned Houses and he would like to move forward in getting some estimates to demolish the Condemned Houses in our City. Mayor Evans further stated that said Condemned Houses are listed according to the Wards. Mayor Evans stated he is giving the List to Council Members tonight for their review, but will be bringing the List back before the Council, for permission to proceed with the demolition process. President Williamson asked Mayor Evans to bring back the Bid Proposals for the Council to take action upon.

N. Red Light Camera - Proposal. Mayor Evans stated to Council that he spoke with Senator Sanders, and the Bill for the Red Light Traffic Cameras was introduced, and believes it will pass. Mayor Evans further stated at our next Council Meeting, or thereafter, we should have a report from Mr. Graham Champion, as to the Cameras that were placed in our City. Mayor Evans stated Mr. Champion will be coming back before the Council, to give a "Demonstration/Presentation" as to his findings. Mayor Evans stated if the Bill should pass the Legislature, then the Council will have the privilege of adopting that for our City. Mayor Evans further stated this particular Project will cost the City no additional funds.

O. Audit Review - Work Session. Mayor Evans stated to Council as they know we had an Audit Report done, and he would like to ask President Williamson and the Council Members, prior to our next Council Meeting, or the one next to that, to have a Work Session, so that any questions that they

may have as it relates to the Audit Report, can be discussed with the Auditing Firm at that time, so that they can move forward with the process. President Williamson stated to Mayor Evans that he does intend to have a Work Session scheduled.

**P. Announcements/Upcoming Events.** Mayor Evans stated he would like to announce the following:

*(a) Annual Convention of the Alabama State Association of the Improved and Protective Order of the Elks of the World, April 23-27, 2010, in our City.*

*(b) State AISA (Alabama Independent School Association) Track Meet, April 21-22, 2010, in our City.*

*(c) Annual LECC (Law Enforcement Coordinating Committee) Conference and Law Enforcement Summit, April 21-22, 2010, in our City.*

*(d) Bass Fishing Tournament, April 24, 2010, in our City.*

*(e) Battle of Selma, April 22-24, 2010, in our City.*

Mayor Evans stated he would like to "Welcome" all to our City, and that we are looking forward to these Events in our City, and he wanted to make the Public aware, as well.

**Q. Bush Hog - Update.** Mayor Evans stated to Council that a lot of meetings have taken place, to try and find a "happy medium" as it relates to the Bush Hog matter. Mayor Evans further stated he thoroughly appreciates having worked with the Residents on Griffin Avenue, and other Streets in the Bush Hog Neighborhood, and that it is unfortunate that we got a lot of negative publicity in our City because of the events that took place, that led up to this point. Mayor Evans stated this particular process was in motion, and that Bush Hog never put any pressure on the City, to state that we had to complete this process by a certain time. Mayor Evans further stated Bush Hog stated that they would like to bring closure to this because there was potentially \$20 Million Dollars that could come to our City, in addition to what is already coming to hire more Employees. Mayor Evans stated that Bush Hog worked faithfully with the Council, and himself, and others, to try and reach a solution to this. Mayor Evans stated it was important to work with the Community, and listen to the Community to try to come up with a solution. Mayor Evans further stated he knew that we would not be able to come up with a solution, whereby everybody would be totally pleased, but he wanted to say that the Families on Griffin Avenue in particular, did come and say to him that they were willing to work with him, and the Council Members, if there were certain things that they were able to reach and compromise on. Mayor Evans stated initially some "Meetings" ago that he felt that this Street Closure should take place simultaneously; when the Streets were closed, then the new Street would be opened that would extend to J. L. Chestnut, Boulevard. Mayor Evans further stated since that time, he has discovered that this is not possible; that Norfolk Southern Railroad Company has placed stipulations into it that we are unable to meet at this point, in terms of what is being required of us from them. Mayor Evans stated they usually request "3 for 1"; if you ask for 1 street opened, they want 3 streets closed, and they also requests some things to take place on the tracks. Mayor Evans stated that they have consented to us closing two (2) streets, but that there is a minimum four (4) week process to close the streets. Mayor Evans stated four (4) weeks from now there will be discussion about the closing of Oak Street, and that there will be public hearings in the Ward. Mayor Evans stated EDA has agreed to finance the Project in the amount of \$50,000.00; Bush Hog has agreed to the amount of \$50,000.00; the City of Selma in putting in \$25,000.00, and the Probate Judge and Dallas County will be putting in \$25,000.00 to fund the Project, and we have available right now \$150,000.00 to build a new street; however, the total Project is going to cost about \$500,000.00. Mayor Evans stated that he makes a "pledge" to the Citizens that he will make sure that this Project will be successfully completed. Mayor Evans further stated that he has a copy of the Memorandum of Understanding, as it relates to Vacating Portions of Griffin Avenue, Plant and Vine Streets, and read said Memorandum of Understanding, in its entirety. Mayor Evans stated to Council that at this point it his recommendation that we close the Streets, with the understanding that the language reflects that we will complete the Street, and everything else that needs to be completed. Mayor Evans further stated it his intent, with Council's approval, to move forward as early as possible, to start building those streets. Mayor Evans stated the only problem we will have is the railroad, we cannot go across the railroad, until Norfolk Southern Railroad Company gives us the right-a-way to do so, but until that time it will be his recommendation that we will begin the process of building those streets until that time. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to accept the Mayor's recommendation to close the streets, in the form of Resolution #R205-09/10. An amended motion was made by Councilman Randolph, and seconded by Councilwoman Newton, to not close the Streets for Three (3) Weeks, to allow the Residents of that area an opportunity to prepare for the same. 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 Tucker and Councilwoman Crenshaw each cast a nay vote.

MAYOR'S REPORT

*ON BEHALF OF THE SELMA CITY COUNCIL, THE GAVEL AND NAME PLATE HELD BY  
OUR BELOVED PRESIDENT DR. GERALDINE ALLEN WAS PRESENTED  
TO HER HUSBAND, MR. ROBERT ALLEN, SR.,  
WHICH WAS RECEIVED WITH A "ROUND OF APPLAUSE" BY EVERYONE!*

R. Relay for Life - Logo for the "T-Shirts". Mayor Evans asked Mrs. Patti Sexton to come forward and address the Council with an update, as to the T-Shirts for *Relay for Life*, which will be held on Friday, April 30, 2010. Mrs. Sexton addressed the Council and stated that Councilman Tucker made a recommendation that he brought, in the interest of "harmony", that they place the City's Seal and the City's Name, and leave the donation, and that the Council needs to take action on his recommendation. A motion was made by Councilwoman Crenshaw, and seconded by Councilman Randolph, to place the City's Seal and the City's Name on the "T-Shirts" for *Relay for Life*. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

CITY ATTORNEY'S REPORT

A. Dallas County Jail - Project. Attorney Nunn stated to Council that they should have received a packet of information, concerning the Dallas County Jail. Attorney Nunn further stated Mr. Mike Cochran is here tonight to explain to the Council about the process, as it relates to this matter. Mr. Cochran came forward and addressed the Council with an explanation of the process, and how it will work. Mr. Cochran stated that this the Bond is the same, with the same terms and conditions, which will include the benefit of savings. Mr. Cochran further stated that they are asking us to participate in this, with the same terms and conditions, same obligations, and that the only thing that it does is reference a "2010 Bond Issue", but will not cost the City of Selma any additional funds. Attorney Nunn stated that Chief of Police Riley has some concerns, that may require another meeting perhaps with the Chief, and the County. Mayor Evans stated that he had spoken with Probate Judge Ballard on this afternoon, and it would be his suggestion to place this matter into the hands of the Public Safety Committee, and meet with all of the parties involved. President Williamson stated to Councilman Randolph that he was placing this into his hands, as Chairperson, along with the Committee, and asked that they meet, along with Mayor Evans, to see what needs to be done, and bring back a report to the Council.

B. Alcoholic Beverage License - Kavita A. Patel- Shivam, LLC (Harolds Grocery - 1601 Old Montgomery Highway). Attorney Nunn stated to Council that they should have before them an Alcoholic Beverage License Application asking for a Retail Beer and Table Wine for Off Premises Only, which is located at 1601 Old Montgomery Highway, within the Police Jurisdiction; namely, Shivam, LLC. Attorney Nunn stated said Alcoholic Beverage License Application is up for 1<sup>st</sup> Reading tonight, and asked Council's consideration of the same. A motion was made by Councilman Tucker, and seconded by Councilman Randolph, to place said Alcoholic Beverage License Application of Shivam, LLC, on 1<sup>st</sup> Reading. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

C. #R212-09/10 - A Resolution To Declare Ward 1 Seat Vacant. Attorney Nunn stated in Cities of 12,000 or more, the Council shall elect a president pro tempore who shall perform the duties of the president of the council during his or her absence and who shall succeed to the office of council president in the event it becomes vacant, per Section 11-43-42, of the Code of Alabama, 1975, and that we have already done this. Attorney Nunn further stated vacancies in the office of the aldermen in any city or town shall be filled by the council at the next regular meeting or any subsequent meeting of the council, the person so elected to hold for the unexpired term. Attorney Nunn stated, per State Law, the council has authority to appoint someone to fill the vacant seat for Ward 1. Attorney Nunn further stated when a council vacancy occurs, the council must declare the council seat vacant, and the council may declare the seat vacant at any regular or special meeting. Attorney Nunn further stated at the next regular meeting held after the council meeting at which the vacancy was declared, or at any meeting held after such regular meeting, whether regular or special, the council may vote to fill the vacancy. Attorney Nunn stated the vacancy cannot be filled at the same meeting at which the vacancy is declared, and the newly appointed council member holds the office for the unexpired term. Attorney Nunn further stated, Section 11-43-18 states, (a) unless otherwise provided by local law, vacancies in the governing bodies of all Class 5 municipalities which have existed for more than 60 days shall be filled as herein provided; and (b) if the term has been declared vacant and has six months or more remaining, the mayor, if there is one, otherwise the senior member of the city governing body, shall call for a special election to fill the vacancy; the successor shall serve the remainder of the unexpired term until a successor has been qualified and elected. Attorney Nunn stated at this point and time, he is going to pass out a Resolution, #R212-09/10, Resolution to Declare Ward 1 Seat Vacant, and read it in its entirety. A motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve said Resolution #R212-09/10, Resolution to Declare Ward 1 Seat Vacant. Councilwoman Crenshaw made a statement for the record; "The City has declared Ward 1 Seat Vacant. I would like to offer that the consideration for this Seat be given to an African-American. Dr. Allen was an African-American. She was

elected by a majority of African-Americans' Community. Cecil Williamson now holds this position, as President; he's White; selected as Pro-Tem by Three (3) African-American Council Persons in a majority African-American Community. Moreover, I would like the same consideration given to an African-American based upon the premise that those Three (3) African-Americans were 'color-blind'. I charge this majority African-American Council to use our 'color-blindness' as was done with Councilman and President Williamson, to select an African-American to finish the term of Councilman Cecil Williamson in Ward 1, as he serves to complete the term of Dr. Geraldine Allen, who also was an African-American Woman."

D. Oak Street Hearing - Update. Attorney Nunn stated to Council that he thinks Oak Street is within Councilwoman Keith's Ward; Ward 2. Attorney Nunn further stated we have some dates of April 25<sup>th</sup>, to do the Advertising; May 2<sup>nd</sup>, May 9<sup>th</sup>, and May 16<sup>th</sup>, and we are requesting to have the Public Hearing on June 8<sup>th</sup>. Attorney Nunn asked the pleasure of the Council on having the Public Hearing. President Williamson stated he would allow Councilwoman Keith the opportunity to decide on Attorney Nunn's recommendation. Councilwoman Keith stated she thinks Attorney Nunn's recommendation will be fine; that of June 8<sup>th</sup> at 4:00 p.m., in the Council Chambers, for the Public Hearing.

**BUSINESS ITEMS:**

I. NOISE ORDINANCE

Council Pro Tempore Williamson stated the noise certainly continues to be a problem in the City, and the Report of the last month was indicative of that, and he hopes that the Police Department will continue what they are doing to seriously remedy this problem.

II. WASDEN PLACE - PETITION FOR SPEEDBREAKERS

President Williamson stated to Council that he has a Petition from 9 of the 11 Residents who live on Wasden Place, who are asking that Speed Breakers be placed on that Street. President Williamson stated that he will give said Petition to Mayor Evans, for the process to take place.

III. UNIVERSITY OF ALABAMA DOWNTOWN STUDY

President Williamson stated that he has asked Mayor Evans for a copy of the University of Alabama Downtown Study for the Council, and he stated that he would provide a copy to the Council.

IV. LITTER

This item is continued.

V. CITY SUPPORT FOR COUNCIL PROJECTS

This item is continued.

VI. INFRASTRUCTURE

This item is continued.

VII. MIAMI TRIP - BOXES FOR THE CHILDREN OF HAITI

Councilwoman Crenshaw stated she and the Children want to thank all of the Council Members who participated with this effort, along with City Hall participants; namely, Anita Hamilton, Ivy Harrison, B. J. Smothers, Community Development and Code Enforcement Staff, and Attorney Nunn. Councilwoman Crenshaw further stated that the Children will be doing a Luncheon, and they really want you to be there, so that they can say "Thank you, Thank You, Thank You", for all that you did to make this happen for them; they really appreciate what you did for them. Councilwoman Crenshaw stated to the Citizens and Parents in the Community that she really appreciates all of the support, help, and contributions that they received from them.

VIII. OIL AND GAS LEASE MONIES

President Williamson stated that the Oil and Gas Lease Monies have come, and that usually the Council divides it amongst the Wards. A motion was made by Councilman Randolph, and seconded by Councilwoman Keith, to divide the Oil and Gas Lease Monies in Ten (10) ways. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

**BUSINESS ITEMS:**

**IX. VOLUNTEERS FOR COMMITTEES**

President Williamson asked for Volunteers to replace him on the following Committees:

- (1) Recreation
- (2) Community Development - Councilwoman Crenshaw
- (3) Garbage (Sub-Committee) - Councilwoman Crenshaw (?)

President Williamson stated that they would serve until October 1<sup>st</sup>, if everybody is agreeable to that.

**STANDING COMMITTEE REPORTS**

**RECREATION COMMITTEE - Councilwoman Monica Newton, Chairman**

No Report.

**ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman**

No Report.

**PUBLIC SAFETY COMMITTEE - Councilman Samuel Randolph, Chairman**

No Report.

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

No Report.

**DISCRETIONARY COMMITTEE - President Cecil Williamson, Chairperson**

President Williamson stated that the District Attorney had requested assistance with the Annual LECC (Law Enforcement Coordinating Committee) Conference and Law Enforcement Summit, April 21-22, 2010, in the amount of \$500.00, to help with the Law Enforcement Coordinating Committee (LECC), and that he will be passing the Discretionary Funds' Form around, and that we will be giving \$500.00 towards that cause.

**CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson**

No Report.

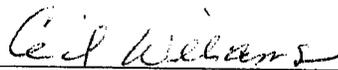
**SELMA-DALLAS YOUTH AMBASSADORS - Councilman Corey Bowie, Chairperson**

No report.

**CLOSING REMARKS BY EACH COUNCIL MEMBER.**

**ADJOURNMENT**

There being no further business to come before the Council, a motion was made by Councilwoman Benjamin, and seconded by Councilwoman Crenshaw, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 7:38 p.m.



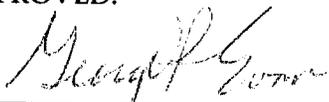
DR. CECIL WILLIAMSON, *Council President*

**ATTEST:**



IVY S. HARRISON, *City Clerk*

**APPROVED:**



GEORGE PATRICK EVANS, *Mayor*