

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

Call to Order

Invocation: Councilman Reverend Benny L. Tucker,  
Ward Six, Selma City Council  
Trinity Baptist Church, Pastor

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, October 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, Councilman Greg Bjelke, Councilwoman Angela Benjamin, 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 Secretary, Mrs. Rachel Furman. Councilman Samuel Randolph was absent during roll call, but arrived at 5:04 p.m. Ms. Brenda Smothers, the Mayor's Executive Assistant, was absent due to illness.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

After approval of the agenda, President Williamson asked for the approval of the minutes of September 27, 2011 regular meeting minutes. A motion was made by Councilman Tucker, and seconded by Councilwoman Keith, to approve the minutes of September 27, 2011. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

**CITIZENS' REQUESTS**

Bishop Bert A. Scott, Sr./Ms. Valerie Wagner

Re: Donation for First Annual 5K Walk/Run - New Shady Grove Ministries - (Fee Waiver, November 23<sup>rd</sup>, Carl Morgan Convention Center, 10:00 a.m. - 2:00 p.m.) - Referred to Mrs. Kay O. Jones; re. availability of that date.

Southside Elementary School P.T.O. (Ms. Sherri Cook, Vice-President, P.T.O.)

Re: Donation for School Supplies (Friday, October 28<sup>th</sup>)

Mr. William Bowman

Re: Donation for Operating Funds - V.I.P. Organization, Incorporated

Selma Children's Museum (Ms. Lafonda Watson)

Re: Donation Towards Re-Location

Ms. Afriye` We-Kandodis (Ms. Brenda (B.J.) Smothers)

Re: BlackBelt African-American Genealogical & Historical Society - 6<sup>th</sup> Annual Conference - February 17 - 18, 2012

Ms. Patty Sexton

Re: Donation to The Journey School - "Blue Jean Ball" - November 10<sup>th</sup>, Old National Guard Armory - 6:30 p.m. - 10:30 p.m.

Tipton-Durant Middle School - Robotics Team

Re: Donation for National Robotics Competition

Bishop Robert Pettus  
Re: "Gun Buy Back" Program (\$100.00) - October 29, 2011, 10:00 a.m. - 2:00 p.m.

PUBLIC COMMENTS ON REDISTRICTING

No one present to make public comments.

MAYOR'S REPORT

**REQUEST OF PRAYER FOR THE FULLER FAMILY AND THE CITY OF SELMA  
IN THE LOSS OF ANOTHER CITIZEN TO MURDER WITHIN THIS WEEK!**

**PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS**

**PROCLAMATIONS.** Mayor Evans stated to Council that he would like to present and acknowledge the following Proclamations, and that each of them should also have copies within their packets:

***Proclamation - "Family History Month"***. Mayor Evans asked President Williamson to come down, for the Presentation of the Proclamation, honoring "*Family History Month*". Mayor Evans, on behalf of himself and the Council, read the Proclamation in its entirety, and asked the Citizens to join them in Proclaiming the *Month of October, 2011*, as "*Family History Month*" in the City of Selma, and encouraged all of our Citizens to research, share and *observe* the Month with activities that celebrate their unique family histories. Mayor Evans and the Council asked all Citizens to join in this "*Observance*", which was received with a "*Round of Applause*" to acknowledge this Observance! Mayor Evans presented said Proclamation to Ms. Afriye` We-Kandodis and Ms. Brenda (B.J.) Smothers (in her absence), on behalf of "*Family History Month*".

***Proclamation - "National Breast Cancer Awareness Month"***. Mayor Evans asked President Williamson to come down, for the Presentation of the Proclamation, honoring "*National Breast Cancer Awareness Month*". Mayor Evans, on behalf of himself and the Council, read the Proclamation in its entirety, and asked the Citizens to join them in Proclaiming the *Month of October, 2011*, as "*National Breast Cancer Awareness Month*" in the City of Selma, and urged all Women and their Families in Selma and surrounding areas to get the facts about Mammography, and the importance of Early Detection for Breast Cancer. Mayor Evans and the Council asked all Citizens to join in this "*Observance*", which was received with a "*Round of Applause*" to acknowledge this Observance!

***Proclamation - "Pro Bono Week"***. Mayor Evans asked President Williamson to come down, for the Presentation of the Proclamation, honoring "*Pro Bono Week - October 23 - 29, 2011*". Mayor Evans invited Council President Cecil Williamson, Attorney J. Gary Thompson, Councilman Thomas Atchison, City Attorney Jimmy Nunn, Attorney Brandon Wooten, and any other Attorney in the audience, to come forward to be a part of this Proclamation. Mayor Evans, on behalf of himself and the Council, read the Proclamation in its entirety, and asked the Citizens to join them in Proclaiming the *Week of October 23 - 29, 2011*, as "*Pro Bono Week*" in the City of Selma, and urged all Citizens to recognize the contributions of our legal community in helping those most in need. Mayor Evans and the Council asked all Citizens to join in this "*Observance*", which was received with a "*Round of Applause*" to acknowledge this Observance! Mayor Evans presented said Proclamation to Attorney J. Gary Thompson.

**A. Norfolk Southern Railway Company Agreement.** Mayor Evans stated to Council that they should have within their packets a copy of the Contract as it relates to the Agreement between Norfolk Southern Railway Company and the City of Selma, and that finally it is "moving". Mayor Evans stated that Mr. Barrington has been working with us, and he wants to especially thank Senator Hank Sanders for the assistance he provided in making this happen. Mayor Evans further stated that by now they should have already begun the process. Mayor Evans stated that the Contract was signed and forwarded back to them about a week and a half ago, and according to Mr. Barrington, they will be moving forward with getting this done, and that he hopes by Thanksgiving, this will be a complete process. Mayor Evans stated that he will continue to keep the Council updated as it relates to this Project.

**B. Siren Service Contract.** Mayor Evans stated to Council that he just received information from Ms. Rhonda Abbott, Director of E.M.A., on today as it relates to the Siren Service Contract, which they should have within their packet of information. Mayor Evans further stated that said Siren Service Contract represents the maintenance to cover the Five (5) sirens located in the City of Selma which are located at Medical Center Parkway, East End Elementary School, Meadowview Elementary School, Selma High School,

and Cedar Park Elementary School. Mayor Evans stated that they are asking us to pay a portion of the contract to cover only sirens within the municipality, in the amount of \$1,315.80. Mayor Evans further stated that he is asking that they cover the cost through their discretionary funds, and that he is prepared to also donate to this.

C. 4 On 4 Basketball Tournament and Festival - Saturday, October 29<sup>th</sup>, 11:00 a.m. - 6:00 p.m. Mayor Evans stated that the "Newlyweds", City Employee Derriet Moore and his Wife, Querline Moore, are present at tonight's Council Meeting, and that they are here to speak to the Council about an idea that they approached him about, a "4 On 4" Basketball Tournament and Festival. Mayor Evans further stated that he is going to assist them in some areas, and that they are also requesting assistance from the Council. Mayor Evans asked Mr. and Mrs. Moore to come forward and address the Council with an overview of the "4 On 4" Basketball Tournament and Festival, to be held on Saturday, October 29<sup>th</sup>, at 11:00 a.m. - 6:00 p.m. Mr. and Mrs. Moore addressed the Council, and stated that "D & Q" Productions has taken on an initiative to help stock local food pantries that are struggling to keep their "shelves" stocked. Mr. and Mrs. Moore further stated that the "4 On 4" Basketball Tournament and Festival will help bring public awareness to these problems, and the event will be very beneficial to the Citizens of Selma. Mr. and Mrs. Moore stated that the focus is to help thwart and prevent neighborhood violence by promoting peace, community involvement and good sportsmanship in game-play diversity. Mr. and Mrs. Moore further stated that they will have a "4 On 4" Street Basketball Tournament and Festival, which will include games for everyone, and that they want to give prizes and award money and Trophies. Mr. and Mrs. Moore stated that they need assets to achieve this in order to purchase supplies and equipment, and that they are asking the Council to assist with a monetary gift to help. Mayor Evans stated to Council that Councilman Bowie and Councilman Tucker have been working with Mr. and Mrs. Moore with this, on trying to put this together as far as what needs to be done, and he hopes that everybody will come out in support of the "4 On 4" Basketball Tournament and Festival.

D. Monthly Financial Report - September, 2011. Mayor Evans stated to Council that they should have within their information a copy of the Monthly Financial Report for the Month of September, 2011, which reflects that in this last month we had a loss of \$1,537.27 in sales taxes. Mayor Evans stated to Council that this information is being provided to them for their review, and for any questions that they may have, as well. President Williamson stated as can be seen on the Report, we received \$3,743.41 less in Sales Tax than we did in the same period last year in the General Fund for the first Eleven (11) months. President Williamson further stated that we received \$4,423.91 less in Lodging Tax than the previous year for the first Eleven (11) months. President Williamson stated, unfortunately, we received \$8,428.09 more in the Tobacco Tax this year than last year.

E. Police Department Report - September, 2011. Mayor Evans stated to Council that they should each have before them a copy of the Police Report, which reflects the incidents by Wards. Mayor Evans further stated that said Report gives the Noise Statistics. President Williamson asked the Council to review, and bring any questions that they may have to the next Council Meeting.

F. Code Enforcement Report - September, 2011. Mayor Evans stated to Council that they should each have before them a copy of the Code Enforcement Report, which reflects all of the Citations for the Month of September, 2011. Mayor Evans further stated that the Report also reflects the overgrown lots by Wards, abandoned vehicles, dilapidated properties identified, as well as, properties that have been approved to be cut and cleared by the Public Works Department. Mayor Evans stated that Mr. Darryl Moore is here to answer any questions they may have, and asked that he come forward to address the Council with answers to questions that they had.

G. Nomination of Three Persons for Consideration as Members of the County Board of Equalization for the Term Beginning, October 1, 2011. Mayor Evans stated that the Council is working on this Item, and that it will be handled by the Council.

H. Resolution #R270-10/11 - Assistance to Firefighters Grant. Mayor Evans stated to Council that they should have before them Resolution #R270-10/11, Assistance to Firefighters Grant. Mayor Evans further stated that Chief Michael Stokes and Ms. Charlotte Griffeth are present at tonight's Council Meeting, in the event that they have questions. Mayor Evans asked Ms. Griffeth to come forward and address the Council. Ms. Griffeth addressed the Council with an overview of Resolution #R270-10/11, Assistance to Firefighters Grant, which represents the City's desire to apply for an Assistance to Firefighters Grant, to acquire needed equipment, at an estimated equipment cost of \$95,950.00. Ms. Griffeth stated that the City desires to seek \$86,355.00 in Homeland Security Grant Funds, and provide the required 10% local cash match of \$9,595.00, to be placed in the FY 2012 Grant Match Budget. During discussion, a motion was made by Councilman Tucker, and seconded by Councilman Randolph, to approve Resolution #R270-10/11, Assistance to Firefighters Grant, and provide the required 10% local cash match of \$9,595.00, via the FY 2012 Grant Match Budget. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

I. Resolution #R101-11/12 - Award of Contract for the Construction of Selma C/D Landfill Cells 2B-3 to Mitchell's Contracting Services, LLC. Mayor Evans stated to Council that they should have

before them Resolution #R101-11/12, Award of Contract for the Construction of Selma C/D Landfill Cells 2B-3 to Mitchell's Contracting Services, LLC, in the amount of \$157,625.00. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve Resolution #R101-11/12, Award of Contract for the Construction of Selma C/D Landfill Cells 2B-3 to Mitchell's Contracting Services, LLC, which is \$157,000.00, via a line item in the Budget, and the additional \$7,625.00 to be taken from the Operational Fund. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

J. **Resolution #R102-11/12 - Strategic Alliance for Health Grant for Riverfront Park.** Mayor Evans stated to Council that they should have before them Resolution #R102-11/12, Strategic Alliance for Health Grant for Riverfront Park, to assist with the Riverwalk Lighting. Mayor Evans asked Ms. Griffeth to come forward in the event the Council had questions. Mayor Evans stated that the total project cost is \$14,500.00, with \$9,500.00 requested funds from the Strategic Alliance, and \$5,000.00 from the City's cash match. Mayor Evans asked Council's consideration of the same. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve Resolution #R102-11/12, Strategic Alliance for health Grant for Riverfront Park, in the cash match amount of \$5,000.00, obligated from the 2011-2012 Grant Match Budget Line Item. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

K. **Resolution #R103-11/12 - Award of Contract for a Video Surveillance Network Management System to Slappey Communications, Incorporated.** Mayor Evans stated to Council that they should have before them Resolution #R103-11/12, Award of Contract for a Video Surveillance Network Management System to Slappey Communications, Incorporated. Mayor Evans asked Ms. Bessie Curtis, IT Director, along with Mr. Wayne Green, to come forward and address the Council in the event that the Council had questions. Councilman Atchison asked if it would be the Police Department, or the IT Department who would maintain it? Mr. Green answered, and stated that all of the data would be stored on the server within the IT Department, but would be monitored specifically at the Police Department. The Police Department would have the access into the servers within the IT Department. Mayor Evans stated that a total of Seventy-Five (75) cameras were in our Bond for the purpose of distribution throughout the City, in certain designations within our City, including all of our Public Buildings and Parks. Mayor Evans further stated that these cameras will be put in place for the purpose of safety and security for Citizens who choose to visit our Parks at night, and attend functions within our Public Buildings. President Williamson asked Mayor Evans if the Council would have any input into where the cameras will be located? Mayor Evans answered, and stated before any camera is placed he would like the Council to submit a list of where they think a camera should be located, and it would be his recommendation that everybody will know where they are being placed before a final decision is made. Councilwoman Crenshaw asked if the Council would have to approve before placement of a camera in this City? Mayor Evans answered, and stated that is correct. Mayor Evans asked Council's consideration of the same. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve Resolution #R103-11/12, Video Surveillance Network Management System Contract Award to Slappey Communications, Incorporated, in the contract amount not to exceed \$104,785.00 for the purpose of purchasing Seventy-Five (75) Cameras, to be encumbered via the Municipal Bond Fund. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

L. **IT Bond Projects Budget.** Mayor Evans stated to Council that they should have before them a booklet that he asked the IT Department to put together, so that the Council Members will know the direction we are going in, as it relates to the Bond Projects, as well as, IT Department's Budget. Mayor Evans further stated that the intent is to have internet wireless network throughout all Municipal Buildings, which we do not have now, but we are now putting up antennas in different locations including this Building, and any other Building, for the purpose of that. Mayor Evans further stated that we will also have the ability for businesses who want to sign up with the City, whereby the City can charge them for wireless internet and we can get revenue from that standpoint.

M. **Marie Foster Street Culvert Replacement Update.** Mayor Evans stated to Council that he was asked to get a second "quote" as it relates to the Marie Foster Street Culvert Replacement, and that they should have a copy of the second "quote" before them. Mayor Evans further stated that Mr. Ray Hogg is here, in the event that the Council has questions.

N. **Selma Community Movie Theater Proposal.** Mayor Evans stated to Council that they should have information before them as it relates to a Proposal for a Movie Theater, Selma Community Movie Theater, so that our Young People, as well as, older Adults can go to the "movies" in Selma, Alabama until we can get a "real, live Movie Theater". Mayor Evans further stated that he has been working on this for about 8 weeks now, and would like to "kick-it off", hopefully prior to Thanksgiving, to be operational to take advantage of the Thanksgiving Holidays and the Christmas Holidays. Mayor Evans stated that movies will be shown on Thursdays, Fridays, and Three (3) times on Saturdays, for the purpose of our Young People, as well as, the Adults. Mayor Evans further stated that the "box seats" upstairs will be for Adults only, young people downstairs, with a fee of about \$6 or \$7. Mayor Evans stated that we will be working with the Police Department for parking and security. Mayor Evans stated that we are in the process of purchasing

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equipment to get this "rolling", which is going to cost about \$66,266.99, but we only need about \$3,381.00 now to get it started. Mayor Evans further stated that the equipment is digital, up-to-date Movie Theater-type of equipment so that when we get a Movie Theater, that particular equipment can be transferred to a new Movie Theater that will fit right in. Mayor Evans stated this will allow us to show current movies, that will be within Thirty (30) days of being released. Mayor Evans further stated that in order for this to not be any additional cost to the City, we must have at least 340 people to come between Thursday, Friday and Saturday. Mayor Evans stated that he thinks this is a worthwhile project, and asked that the Council support this project for our Young people so that they will have a Movie Theater that they can come and see, and Adults can, too, see a movie. Mayor Evans asked Mrs. Kay Jones, Public Buildings Facilitator, along with Mrs. Sharon Jackson of Long Beach, California, who has recently relocated back to Selma, and is volunteering her time to work with us on this, to come forward and address the Council. Mayor Evans stated that Mrs. Jackson and her husband, Mr. David Jackson, are very active in working in this Community, and they are putting up \$10,000.00 of their money towards this Movie Theater Project. Mrs. Jackson addressed the Council and stated growing up in Southern California, that movies are an everyday thing, and they were a little surprised when they relocated back to Selma to learn that we do not have a First-Run Movie Theater. Mrs. Jackson further stated when she met with Mayor Evans that was one of the first projects that they discussed. Mrs. Jackson stated that back in February, when she met with Mrs. Kay Jones, that was one of the first things that they worked on; the feasibility of what it would take to be able to show movies in Selma. Mrs. Jackson further stated that the movie industry is pretty "fickled" and confusing, but their objective was to be able to bring First-Run movies to Selma which is a movie that you are able to see within Two (2) weeks of when it is released nationally. Mrs. Jackson stated that that is the goal that they started out with, and that they should have before them a "hand-out" which includes a "little" Fact Sheet and some information about the Movie Theater proposal. Mrs. Jackson further stated that we have had Three (3) Consultants to come in and take a look at the Performing Arts Center Building, and help them with the Feasibility Study; Mr. Edwards (who currently owns and runs a similar Theater, in Thomasville); Mr. Taylor (Owner and Operator of a Five-Screen Theater in Troy, *Continental Cinema*), and Mr. Blank (Tri-State Theater Supply Company, located in Tennessee and recognized for our Region, as an "expert" on small movie theaters). Mrs. Jackson stated that the Consultants determined the following; (1) that the existing building would suffice as a movie theater and that there are adequate restrooms and concession areas to support the theater; (2) that the existing sound system and movie projector are inadequate for showing first-run digital films, that currently all we have in the theater is a DVD Player, the kind that we have in our homes; (3) the existing screen is torn, and is also too small and too "square" to be able to show digital pictures which are on a wider screen; and (4) the film industry itself is evolving to a digital only format. Mrs. Jackson stated that profit margins in Selma are slim; nobody is going to make a lot of money off of a single screen theater. Mrs. Jackson further stated that the goal and objective would be for it to be a non-profit, community benefit theater that totally pays for itself, with no liability to the City, and that it sustains itself during the "lead" months, which are May, June, July, November, and December. Mrs. Jackson further stated if we are able to "kick-it off" during this Holiday Season it will be very important in an effort to start it on a positive cash flow. Mrs. Jackson stated if a ticket costs \$6.00 to get into the movies, the average amount that the Theater will make off of that ticket sale is \$2.46. Mrs. Jackson further stated that concession revenue will be very important to us because we will not be making a whole lot of money off of the ticket sales. Mrs. Jackson stated that we would have at least Two (2) movies, including a Children's Movie that we can feature during a Matinee, and a main feature film. Mrs. Jackson further stated that the City could operate a theater, a "Not-For-Profit", Community Benefit Movie Theater with the objective that it needs to pay for itself, and that the City is not responsible for that. Mrs. Jackson stated that the "Keys to Success" for the Movie Theater are as follow: first, the theater must average 385 patrons weekly; second, the City would have to reduce the daily rental fee of the Performing Arts Center from \$200 to \$100; and lastly, the City would have to waive its \$1 Ticket Tax Fee for the first year. Mrs. Jackson stated that she and her husband propose to enter into an exclusive agreement with the City of Selma to operate the movie theater at the Performing Arts Center, for a period of Two (2) years, with Three (3), One (1) year renewable options. Mrs. Jackson further stated that in consideration for the Exclusive Use agreement the Operators would pay the City \$300 a week, \$15,600.00 annually, plus applicable sales tax, and that as a point of reference, last year, the total rental revenue collected from the Performing Arts Center was \$9,900.00. Mrs. Jackson stated that they are excited about the "thought" of moving forward with this, and that they would like to have the equipment installed in there for Thanksgiving but she is not sure, but that definitely they should be able to make the Christmas Holidays, at that point and time. Councilwoman Crenshaw stated that her concern is that we may need to "poll" people to see if they would support this movie theater because we are about to invest about \$70,000.00 of money and we did not count that in as an expense. Councilwoman Crenshaw further stated that her only two concerns would be the support for this, and then the weekends would no longer be in use for the community for the "stage" at the Performing Arts Center. Councilman Randolph stated that he is not "knocking" the movie theater, but asked how would we make our money? Mayor Evans stated that the City will make \$15,000.00 off of the movie theater, and that we only made roughly \$9,000.00 last year for the use of the Performing Arts Center. Mayor Evans stated to the Council that he would like for us to move forward with this; to try it One (1) year initially, at an initial investment of \$66,266.69, and if in fact after one year we have not made the profit back to put back, he would be responsible in getting it back, and asked that the minutes reflect this. Mayor Evans further stated that it is important to him that our Young People, as well as, Adults have something that they can "hang" onto as far as a movie theater. Mayor Evans stated that we do not have anything else to offer right now and it is his belief, through a year of "trial and

error" in working with that, we are going to make money on that. Mayor Evans further stated that he does not believe that he will have to come up with \$66,000.00, that it may be less than that, but that he thinks it is that important that we work together as a Council and Mayor to try to make this work. Mayor Evans stated that Mr. and Mrs. Jackson are putting up \$10,000.00 as an investment to try to make this work. Mayor Evans stated that he is committed to moving forward with this for our Youth, and if it fails, he will come back and tell them that they tried, but it failed. Mayor Evans further stated that he has spoken with Dr. Mitchell of Wallace Community College, and that they have had dialogue about the fact that this will not be in competition with Wallace Community College, which their movies will show the first Saturday in each month. Councilwoman Benjamin stated that the Mayor has put up his own money, that if we fail, he would make up the difference, so in her mind there is no loss right there. Councilwoman Benjamin asked Mayor Evans what is it that he would like for the Council to do right now? Mayor Evans answered, and stated that he would like the Council to appropriate \$66,266.99 for the Movie Theater, to move forward with this project for One (1) year, to be re-visited in one year. Councilman Atchison stated to Mayor Evans that it seems like the City will not lose any money but will increase in income for the use of the Facility, and that he agrees with Councilwoman Benjamin, that he is ready to move forward and do whatever needs to be done to start the process. Councilwoman Crenshaw asked Mayor Evans if he was saying that he was going to try this for One (1) year and if it does not work, and we have to go into the "hole" with it, that he will pay out of his pocket what amount? Mayor Evans answered, and stated that he is saying that the \$66,266.99 initial investment that he is going to be responsible for making sure that it is paid back to the City, through donations, contributions, fundraisers, or through the attendance of the Patrons who come to the Movies, and if not, he will make up the difference; that the bottom line is that the Project should pay for itself. President Williamson stated to Mayor Evans that he said One (1) year, and Mrs. Jackson stated Two (2) years, and asked which is it going to be? Mayor Evans answered, and stated that she indicated One (1) year with the idea of hopefully extending it to another year. President Williamson stated that that is not what she stated, and asked that she clarify that. Mrs. Jackson stated that it is their assessment that it is going to take Two (2) years to educate the public, to do the marketing to get a regular flow of customers to the movie theater. Mrs. Jackson stated that it is her belief that if Selma wants a theater, that they need to make a 2-year commitment, to see if it is going to work here. Mrs. Jackson further stated that if the Council decides to do just One (1) year that is fine with them. President Williamson asked Mayor Evans if it was going to be One (1) year or Two (2) years? Mayor Evans answered, and stated that he is basically opened initially to One (1) year with the option of Two (2) years, after coming back to the Council and requesting approval, seeing what our "numbers" have been for the initial year. Councilwoman Keith stated that she thinks that for what can be done with a movie theater here, this is about as good a medium as we could get, and that she thinks this is a very innovative and smart proposal. President Williamson asked where would the \$66,266.99 come from in the Budget? Mayor Evans stated that there are unappropriated monies in the Budget that we can pull money from. Mayor Evans further stated if the Council has fear of the initial \$33,000.00 he believes it is, for the "start-up" costs, then he will loan the City that amount of money, and they can pay him back. Mayor Evans stated he is serious; that this is very important that we do not let this get away from us, and do what we need to do for the Children. Mayor Evans stated that he does know that there is close to \$200,000.00 roughly in unappropriated funds that we can use. Mayor Evans asked the Council to trust him enough to move forward on this Project because we are trying to meet a deadline, and if anything goes wrong, hold him accountable. Mayor Evans stated that he thinks our Young People, as well as, Adults are really going to enjoy this, for the sake of having somewhere to go. Mayor Evans further stated that he is prepared to take the same risk as the Jackson's because he thinks that it is very important. Mayor Evans stated that he will give the Council quarterly reports as to a status of the Movie Theater. During discussion, a motion was made by Councilman Atchison, and seconded by Councilwoman Benjamin, to approve \$66,266.99 for the Movie Theater Project, via a line item in the budget in unappropriated monies from the Pension Fund, for One (1) year, with the option to be brought back before the Council for approval for another year. A roll call vote was taken and the motion passed with a unanimous vote of the Council. During roll call, Councilman Randolph stated before he votes he is concerned about pay raises for our Employees. Councilman Randolph further stated, as stated before, when we want to find money for our "pet" projects we find money, and to give the Employees a 3% raise, we came up with \$228,000.00; so now we're doing \$66,000.00 for a movie theater, and that could've been towards Employees' 3%, which left \$164,000.00, and you say we've got \$300,000.00. Councilman Randolph stated that he is looking out for our Employees' raises who haven't had a raise in a while. Councilman Randolph stated that he is going to vote "yes" because he thinks that it is a very important project for our Youth, that his hands are tied "one way or another" but stated to Mayor Evans that he really wish that he could give some of that other money to the greatest Employees of the State of Alabama, a pay raise. During roll call, Councilwoman Crenshaw stated that the only thing she wants to say is that most times when something is done in a hurry, and done with passion, most times people feel like it is political, and then we always cry "something political" but that she is very serious about this in terms of things that are now, and may be, political; make this drastic change to do this and neglect some other things that we have been doing a long time at the Performing Arts Center. Councilwoman Crenshaw further stated initially we had a way to get a movie theater; it wasn't about the children then but now it's in a rush, that it's about the children. Councilwoman Crenshaw stated one thing she likes about this is that it is for one year, and that she needs it stated in her statement of record, that the Mayor stated if it does not work out, and we run into a "hole" or anything like that, he will be responsible for taking care of the debt if we run into that. Councilwoman Crenshaw further stated that she does not know if the debt will include the \$36,500.00 that will be made by the people that are going to run it, but if that becomes the case that will be

over \$100,000.00. Councilwoman Crenshaw stated that her vote will be yes, based upon these stipulations that she does understand. During roll call, Councilman Bowie stated that his vote is yes, and that this is going to add to the quality of life in Selma.

O. Resolution #R107-11/12 - Raises for Employees. Mayor Evans stated to Council that the Council should have before them Resolution #R107-11/12, Raises for Employees. Mayor Evans further stated that he proposes that we can give our Employees a raise, if Councilman Randolph and Councilwoman Crenshaw, agrees with this, with Councilman Randolph and Councilwoman Crenshaw making the "motion and a second", to accept this. Mayor Evans further stated that his thinking is if we give a raise of 3%, then every year thereafter we will have to continue giving that 3%. Mayor Evans stated that Resolution #R107-11/12 stipulates how we can give our Employees a raise; (1) that the Mayor's and the Council's Salary be reduced by 50%; (2) that the Mayor's and Council's discretionary funds be reduced by 100%; and (3) the Mayor's and Council's travel expense budget be reduced by 100%. Mayor Evans further stated that he is proposing that the Cost of Living Adjustment take effect on January 1, 2012. Councilwoman Crenshaw stated that she really likes this proposal, but she would like to look at 5%, because he has \$400,000.00 of the Pension Fund that has not been put into the Budget as a line item that he could take part of that money, approximately \$360,000.00 minus what is being taken out for the Movie Theater, that this is Pension Money that came as a result of selling the Retirement Systems to Investors. Councilwoman Crenshaw further stated she would like to see us take it to a 4 or 5 percent for the Employees, and after saying this, she would like to make a Motion that that be done, along with Resolution #R107-10/11, for the Cost of Living Adjustment for our Employees. President Williamson stated that it is his intention to refer this to the Administrative Committee which is where we put the "raises". Councilwoman Crenshaw stated that she thinks that the Council serves as the Financial Committee, and that she thinks that it is a financial issue, and thinks that the Council as a whole should be in the discussion of this; not the Administrative Committee, and asked if they could do that as a "full" Council? President Williamson answered, and stated that we would have a Work Session before the next Council Meeting and discuss this. Councilwoman Crenshaw stated that she wants us to discuss this, but on this initial Resolution #R107-10/11, she thinks that we can vote on this tonight, with the understanding that we may move with the other funds at a later date, and asked President Williamson if he thinks this would be in order, or would he rather it come before the Council first? President Williamson answered, and stated that he thinks it would be good for the Council to meet as the Finance Committee and discuss all of it at a Work Session. Councilwoman Crenshaw stated she thinks Mayor Evans has done an excellent job of putting this together, and she is ready to move forward with it, only if we could find at least 4 or 5 percent so that they can at least "feel" the raise. Mayor Evans stated that he would like to emphasize that there is some outstanding debt that is in that \$200,000.00 that deals with the Landfill, and that we have not gotten all of the "numbers", and he would like to make sure that we are using that money as "cushion". President Williamson stated to Mayor Evans that he thinks it would be good if he would look at that to see how much of that could be used towards the "raises", before the Work Session, and Mayor Evans stated that he would gather that information for the Council. Councilman Randolph stated that he agrees with his Colleague, Councilwoman Crenshaw, and that he had spoken with a young man who works for Public Works, who has been working for the City of Selma over 21 years and he is making "Eight Dollars and something" per hour. Councilman Randolph further stated that we should not have anyone working for the City making less than \$9 or \$10 per hour. Councilman Randolph stated that he will give up his whole Council paycheck to help these people; "they're just a little bit above poverty". Councilman Randolph further stated that he is not playing games with these people's livelihood; "I'm for real - I want to see these people with a pay raise - it's just bothers me - you just don't know how many people who come up to me everyday". Councilman Randolph stated for even the Department Heads who made a sacrifice a couple of years ago and took a pay cut, we need to give them back the money that they gave up - let's just be fair with the people. President Williamson stated that we have got to have a meeting (Work Session) to talk about all of this; that there are a lot of things that we need to discuss as a Finance Committee. President Williamson further stated if you give a raise "just across the board", that's not really fair to the people that are making less; so there are a lot of things that they need to discuss, that they can not decide tonight. Councilwoman Keith stated she would like to say, speaking of sacrifices, most on the Council a few years ago made the sacrifice and took a pay cut, and some of us didn't.

P. Report on Antanique Tubbs' Trip to Canada with People-to-People International. Mayor Evans stated to Council that they should have a "Thank You" Letter within their packet of information as it relates to a Young Lady by the name of Ms. Antanique Tubbs. Mayor Evans stated that he thinks that many of them, as well as, himself gave a contribution for this Young Lady to go to Canada, and she wrote them a letter to "thank" them, and to give them a report on her trip to Canada this past Summer.

Q. Response to Questions Submitted by Former Mayor James Perkins on September 13, 2011. Mayor Evans stated to Council that this Item is Continued, pending gathering more information on this.

R. Reminder, and Announcements. Mayor Evans stated he would like to announce, and remind Citizens and the Council of the following:

- (1) *The Alabama-Tombigbee Regional Commission - Wednesday, October 12<sup>th</sup> at 5:00 p.m.*
- (2) *Tale Tellin' Festival - October 14 - 15, 2011 at 5:00 p.m.*

- (3) *Riverfront Market Day – Saturday, October 15, 2011 at 9:00 a.m. – 5:00 p.m.*
- (4) *State Legislature Reapportionment Committee Public Hearing – October 18, 2011*
- (5) *Chamber Golf Tournament – Wednesday, October 19<sup>th</sup>, 11:00 a.m. – Lunch, Tee Off – 12:00 Noon*
- (6) *Annual Meeting of the Selma Friends of the Trail – October 20, 2011*
- (7) *Haunted History Tours – October 21 – 22, 2011 (See Times Below)*
- (8) *October 21<sup>st</sup> Tour Times – 7:00, 7:30, 8:00, 8:30, and 9:00*
- (9) *October 22<sup>nd</sup> Tour Times – 5:00 Start, with Last Tour Starting at 8:00 p.m.*
- (10) *Let's Move! Selma Walking-in-the-Neighborhoods – October 22, 2011*
- (11) *Free Immigration Seminar – October 26, 2011 – 7:15 a.m. – 9:30 a.m.*
- (12) *Cash for Guns – October 29, 2011 – 10:00 a.m. – 2:00 p.m.*
- (13) *Halloween Monster March – Monday, October 31<sup>st</sup>; Face Painting – 3:00 p.m. – 3:45 p.m. at the Selma Library – Monster March – 4:00 p.m. – 4:30 p.m.*

View the City of Selma Calendar at [www.selma-al.gov](http://www.selma-al.gov) and the Chamber of Commerce Calendar at [www.selmaalabama.com](http://www.selmaalabama.com) for details and upcoming events.

**S. Boards and Commissions Update.** Mayor Evans stated to Council that they should have within their packet, information as it relates to the Boards and Commissions Update.

**T. Review of Leash Law and Code Enforcement Brochure.** Mayor Evans stated to Council that they should have within their packets a Brochure as it relates to a guide to City Codes and Ordinances which also includes the Leash Law.

#### **CITY ATTORNEY'S REPORT**

**A. ABC License Application - Grown N Sexy (Formerly Club 49) - 3215 Water Avenue.**  
Attorney Nunn stated to Council that they should have before them an ABC License Application, Grown N Sexy (formerly Club 49), 3215 Water Avenue, for a Lounge Retail Liquor License, Class I; Mr. Carvin Thomas, Applicant. Attorney Nunn further stated to Council that if they recall they placed said License Application on 1<sup>st</sup> Reading during the last Council Meeting. Attorney Nunn stated that publication has run in the newspaper as it relates to the License Application, and the Sign has been placed at the Establishment. Attorney Nunn further stated that they should have copies of the reports from the Department Heads who have gone out and inspected the Facility, and that this is considered the Initial Inspection. Attorney Nunn stated that the Building Inspector's Office reported that the nearest residential dwelling and/or neighborhood is less than 100 feet; the nearest school, private or public, and/or day care establishment is about 350 feet; and the nearest church, mosque, synagogue, and/or other recognized public place of worship is about 350 feet, as well. Attorney Nunn further stated that the Police Department reported that the parking area at this Establishment is inadequate for a business of this type. Attorney Nunn stated at this point and time we would like to open it up to the public as to whether or not there is anyone present who would like to speak *For* or *Against* the Establishment being placed at 3215 Water Avenue for a Lounge Retail Liquor License (Class I). Attorney Nunn further stated that the Applicant, Mr. Thomas, is here if there are any questions for him, along with his Attorney, Mr. Brandon Wooten. President Williamson asked if anyone was here to speak *For* or *Against* this License? Councilman Bowie stated that he has some "grave" concerns about this, in light of what occurred this weekend. Councilman Bowie further stated that changing venue is not going to change the habits, and if he has to vote for it tonight, his vote will be no. President Williamson stated that it is plan is to vote on it tonight, that it is our custom, one way or the other. Councilwoman Benjamin stated that she has been told by Citizens in that area, that they would be getting a petition up, and present it *Against* the business, and it's these times that we wish that the Citizens would come and say the things that they say to the Council Members. Councilman Atchison stated that he knows Attorney Wooten very well, and his Firm did some work for Mr. Thomas in a civil suit matter, and he is not sure where he stands on his ability to vote on this, but he thinks the timing is just really poor. Councilman Atchison further stated that it has not even been a full week since the latest incident, but to change the name, and change the location, but it's like Councilman Bowie said, there are some things that need to be corrected with the building; maybe we can "Continue" on with the hearing as is scheduled to see what, if any, measures in addition to what has taken place now, what took place last weekend at the Club where the shooting occurred, to kind of alleviate some of the concerns that are going to be unquestionably voiced to each and every one of them in light of the circumstances. Councilwoman Crenshaw stated that she listens to Teenagers quite a bit, and their concern was that you can get in that Club if you are 17, that it didn't matter. Councilwoman Crenshaw further stated that that was a concern of theirs and their Parents; that the statement made by Councilman Bowie about changing the venue, but the habits will not change. Councilwoman Crenshaw stated that she has a concern, and she has a real concern about Teenagers. Councilman Atchison stated to President Williamson that if we are taking a vote on this tonight, that he is not going to vote on this issue tonight because he feels it would be appropriate for him to look into and check into whether or not it would be a conflict. Attorney Nunn stated to President Williamson that Mr. Wooten would like to speak to the

Council, along with Mr. Carvin Thomas, and also Chief Riley would like to speak. Attorney Wooten addressed the Council and stated contrary to the prevailing concerns that may be or what has been voiced to the Council, everybody is aware but no one has appeared to address the Council as to why the Club should not open as a Facility. Attorney Wooten further stated that he fully understands and he is sympathetic to what Councilman Bowie has just stated, and does think that there is a problem, however, he does not think that closing down one club will prevent the problem. Attorney Wooten further stated if you close down one club, they will go to another club. Attorney Wooten asked if we are proposing to close down every club in Selma, and are we proposing to monitor every corner? Attorney Wooten stated, as he stated before, the problem is not this club or how it's being ran; the problem is the Citizens of the Community which is why he thinks earlier today we had a Gentleman to come up and propose a "buy back guns" program because the problem is the people. Attorney Wooten further stated that they are taking every measure that they can to ensure the safety of their Patrons at this club, that they don't want any violence to occur at their club. Attorney Wooten stated that that was an unfortunate event that occurred there recently, and he thinks one of the Security Guards there may have been injured trying to prevent this. Attorney Wooten further stated that they are completely changing the name of the club; Grown N Sexy, and the age range for the club will be for older mature individuals, and also contemplating a dress code. Attorney Wooten stated that this Facility will be smaller which will be easier to "police". Attorney Wooten further stated that they are doing everything that they can to prevent that, and he just wanted the Council to be aware of that. President Williamson stated to Attorney Wooten that they only thing that we are going to deal with tonight is whether to approve the license for Grown N Sexy, and that we will be dealing with the matter of 12<sup>th</sup> Stone on Thursday night, and asked everybody to keep their comments to this liquor license. Mr. Thomas addressed the Council and stated that some of the things that are being said are not true. Mr. Thomas further stated that the incident did not occur inside of the Club; that it was outside. Mr. Thomas stated he wishes that people will just tell the truth. Chief Riley addressed the Council and stated that on this license Application, that they feel the parking will not be adequate, and he does not want any additional calls for services going back into that particular area, that they get enough calls as it is for the loud music from the club that is already there. Ms. Kimesha Alvarez addressed the Council and stated she would like to speak on behalf of the Owners of the club. Ms. Alvarez stated that the death was unfortunate but that people still have a right to run a business, and she does know that she frequents the 12<sup>th</sup> Stone, and she likes going on Sundays and Wednesdays, to get a steak every now and then. Ms. Alvarez further stated that a lot of people have been coming to give support for Carvin (Mr. Thomas), that he has been in the Community for a while, and she thinks he has been trying to curtail the individuals that come into the club. Ms. Alvarez stated it is sort of hard; maybe security is an issue. Ms. Alvarez further stated that she has been in the club where a fight has broken out, and she can say that Carvin and his brothers have stopped whatever they could "stop" within the club. Ms. Alvarez stated in defense of the club owner, she does not think his business pursuit should be held back because of an individual's decision to kill. Ms. Abayomi Goodall addressed the Council and stated that she has spoken to Mr. Thomas about this several times, that all she would like to say is that people should have respect for other people's property. Ms. Goodall further stated that the sidewalk is just as much your responsibility; that there were so many times that she had to speak to the Owner about the garbage, trash, and bottles that were left outside of the Establishment on her property, and that when she came to work she had to clean up beer bottles, cigarette butts, and etc., because she is running a Museum, and it was an inconvenience for her. Ms. Goodall stated she does not feel that he should not be given a license, but she feels that respect must be in place because you are running a business, and that you do have a right to run a business but you are just as responsible for the outside of your Establishment, particularly if it is adjacent to someone else's and the litter that spills over onto their property. Another Gentleman (whom I did not get the name of) spoke and stated that if you are unable to control the clientele that you cater to, and if you don't show that you are adequately able to control the clientele as far as safety in the community then he does not think that that permit should be allowed, and you are not in compliance. The Gentleman further stated that it has been alleged that this proposed club has operated with a history of not being able to control the clientele that they cater to, so what is the future of the new club going to be - not that you should not be able to run a business but show that you can change without it, and then take another step and ask for it. The Gentleman stated that the license is a responsibility. Attorney Wooten addressed the Council again, and stated that he would like to state again that this club will be a completely new club, with completely new patrons, and he just wanted to reiterate that. President Williamson stated at this point and time we are closing the hearing on this matter, and are ready to take some action. Attorney Nunn stated at this point we have heard from all of the people who are either *For* or *Against* the Grown N Sexy Club, and are asking the Council's consideration to vote on this Lounge Retail Liquor License, Class I Application; Mr. Carvin Thomas, Applicant. **A roll call vote was taken on whether to approve the Grown N Sexy Club, Lounge Retail Liquor License, Class I, Application: President Williamson: No; Councilman Atchison: Abstained from Voting; Councilwoman Keith: No; Councilman Bjelke: No; Councilwoman Benjamin: No; Councilman Randolph: No; Councilman Tucker: No; Councilwoman Crenshaw: No; and Councilman Bowie: No. It was a unanimous vote of the Council to Not Approve the ABC License Application of Mr. Carvin Thomas for a Lounge Retail Liquor License, Class I; namely, Grown N Sexy (formerly Club 49) at 3215 Water Avenue.**

President Williamson stated in relation to this, we are going to have a Special Called Meeting of the Council on Thursday at 5:00 p.m., to Continue the Hearing of Revocation of Business License, and we are going to

CITY ATTORNEY'S REPORT

stated that a Lien was filed on the Property, and at this point and time, he is asking Council's consideration to approve filing a full Satisfaction of Lien for the Property Located at 1626 Duke Street, in the amount of \$450.00. A motion was made by Councilman Bowie, and seconded by Councilman Randolph, to approve Satisfaction of Lien for the Property Location of 1626 Duke Street. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

President Williamson stated to Attorney Nunn, before we meet in Two (2) weeks, that he would like for him to get an Opinion about whether the salaries of City Council Members and Mayors can be reduced during this present term of Office. Attorney Nunn stated that he will get an Opinion on this; that he thinks there is an Attorney's Opinion out on this already.

President Williamson asked Attorney Nunn if he would also provide the Council with an update on the legal actions against the City by the next Council Meeting, and he stated he would.

**BUSINESS ITEMS:**

**I. NOISE ORDINANCE**

President Williamson stated he wanted to remind everybody that we still have a Noise Ordinance in place.

**II. PUBLIC SAFETY TOWN HALL MEETING - OCTOBER 27, 2011**

Councilman Bowie stated prior to the "exit" of his position as Chairperson of the Public Safety Committee, they met about a month ago and decided to come up with a "Public Safety Forum", which will serve a dual purpose; (1) to educate the Citizens, and (2) to have a chance to talk with their Law Enforcers. Councilman Bowie further stated that the Committee would be made up of Chief Riley, Chief Stokes, Judge Chestnut, District Attorney Jackson, and Sheriff Huffman. Councilman Bowie encouraged the Citizens to come on Thursday, October 27, 2011 to the Convention Center at 6:00 p.m., to be a part of the "Public Safety Forum".

**III. COMMITTEE DEVELOPMENT REPORT**

Councilwoman Keith stated that this Item will be Continued.

**IV. COUNCIL SECRETARY**

Councilman Bowie stated he would like to thank Councilwoman Benjamin and Councilwoman Keith for doing the work of the "Council Secretary", and doing an excellent job. Councilman Bowie stated that we had Four (4) Nominees and that One (1) of them, Ms. Johnson, chose to stay with her current job, and at this point we have Three (3) Candidates for the Position of Council Secretary. Councilman Bowie further stated that he passed out Pre-Reference Forms on each of the Candidates, and the Three (3) Candidates, who are all City Employees, are Ms. Temekia Sykes, Public Works Department, Mr. Tommy Smith, Supervisor; Mrs. Toby Johnson, Tax and License Department, Mr. Roosevelt Goldsby, Supervisor; and Mrs. Cheri Brown, Finance Department, Ms. Cynthia Mitchell, Supervisor. A motion was made by Councilman Bowie, and seconded by President Williamson, to accept the Three (3) Candidates, and take action with a vote. **A roll call vote was taken and the motion passed with a unanimous vote of the Council. A roll call vote was then taken on the Three (3) Candidates; namely, Temekia Sykes, Toby Johnson, and Cheri Brown, for the position of Council Secretary; President Williamson: Abstained from Voting; Councilman Atchison: Temekia Sykes; Councilwoman Keith: Temekia Sykes; Councilman Bjelke: Temekia Sykes; Councilwoman Benjamin: Temekia Sykes; Councilman Randolph: Toby Johnson; Councilman Tucker: Temekia Sykes; Councilwoman Crenshaw: Toby Johnson. A Majority Vote of the Council voted to approve the Candidacy of Temekia Sykes as Council Secretary. There were six affirmative votes for Temekia Sykes, two affirmative votes for Toby Johnson, and one abstention. Ms. Sykes who was in attendance of tonight's Council Meeting was *Congratulated* by the Council.**

**V. RED LIGHT CAMERAS**

President Williamson stated that the Red Light Cameras are active and operational, as far as issuing Citations, and "warned" everyone to please be more careful!

RECREATION COMMITTEE - Councilman Samuel Randolph, Chairman

No Report.

ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman

No Report, with the exception of the above action.

PUBLIC SAFETY COMMITTEE - Councilman Thomas Atchison, Chairman

No Report.

COMMUNITY DEVELOPMENT - Councilwoman Susan Keith, Chairman

No Report.

PUBLIC WORKS/GENERAL SERVICES COMMITTEE - Councilman Gregory Bjelke, Chairperson

Councilman Bjelke made a report.

DISCRETIONARY COMMITTEE - President Cecil Williamson, Chairperson

President Williamson stated that we have given to a lot of good Projects tonight, and that he will be placing a copy of the Discretionary Report in everybody's mailbox.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

No Report.

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

Councilwoman Crenshaw made a report.

**CLOSING REMARKS BY EACH COUNCIL MEMBER.**

**ADJOURNMENT**

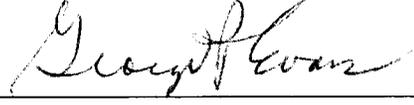
There being no further business to come before the Council, a motion was made by Councilwoman Keith, and seconded by Councilman Bowie, to adjourn this meeting, and by unanimous consent of the Council, this meeting adjourned at 8:39 p.m.

  
\_\_\_\_\_  
DR. CECIL WILLIAMSON, *Council President*

ATTEST:

  
\_\_\_\_\_  
IVY S. HARRISON, *City Clerk*

APPROVED:

  
\_\_\_\_\_  
GEORGE PATRICK EVANS, *Mayor*