

**MINUTES OF THE RECONVENED  
SELMA CITY COUNCIL  
JANUARY 31, 2012  
5:00 P.M.**

Call to Order

Invocation: Councilman Thomas Atchison,  
Ward 1

The Selma City Council met in a reconvened session in the Council Chambers of City Hall on Tuesday, January 31, 2012 at 5:00 p.m.

The following members were present: 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 Executive Assistant, Ms. Brenda Smothers. Councilman Samuel Randolph was absent from the Council Meeting, due to Military Duty and Death in his Family.

**PUBLIC COMMENTS ON REDISTRICTING**

No one was present to make public comments.

**MAYOR'S REPORT**

A. **Update on Jeff Davis Landfill Remediation.** Mayor Evans stated to Council that Ms. Sarah Sightler, Project Manager of CDG Engineers and Associates, is present for tonight's Reconvened Meeting, and asked that she come forward and address the Council. Ms. Sightler addressed the Council and stated that she just wanted to come tonight and address any questions that the Council may have, to make sure that they fully understand everything that they have going on with the Landfill. Ms. Sightler stated that the Cell has been "certified" and sent in to A.D.E.M. Ms. Sightler further stated that Mitchell's Contracting Company should have everything "wrapped up" within the next two weeks. Ms. Sightler stated when a Landfill is closed it requires a long-term commitment, and A.D.E.M. requires a 30-year post-closure responsibility. Ms. Sightler further stated that general maintenance requires at least a monthly, if not more often, "walk-through" to maintain the Landfill as A.D.E.M. expects it to be maintained. Ms. Sightler stated the requirements for post-closure of existing and proposed landfill units shall include the following unless otherwise noted: (1) Eroded areas shall be filled with suitable soil cover, compacted, graded and appropriate cover established; (2) Areas which provide for ponding of surface water shall be filled, graded and an appropriate cover established; (3) Landfilled areas with extensive surface cracks in soil cover shall be corrected as necessary, or as determined by the Department, to prevent infiltration of surface water; (4) An appropriate cover shall be maintained on the facility at all times; (5) Access control structures shall be maintained or erected, and signs shall be posted stating that the Facility is closed, and giving the location of the nearest permitted Landfill unit; (6) Any waste dumped at the Landfill unit following closure shall be removed to an approved Landfill unit by the permittee, operating agency, or owner; and (7) Monitoring devices and pollution control equipment such as groundwater monitoring wells, explosive gas monitoring systems, erosion, and surface water control structures, and leachate facilities shall be maintained. Monitoring requirements shall continue in effect throughout the active life and post-closure care period as determined by the Department unless all solid waste is removed and no unpermitted discharge to waters has occurred. Ms. Sightler stated that there will be a Pre-Construction Meeting on Monday, February 6<sup>th</sup>, as it relates to the new Landfill, and she does plan to be here for that Meeting. President Williamson and the Council thanked Ms. Sightler for coming before the Council to address questions that they had, and stated that they look forward to seeing her on Monday, February 6<sup>th</sup>, for the Pre-Construction Meeting. Mayor Evans stated to Council that

they should have a copy of the Contract as it relates to Full-Time Inspection Services for the Jeff Davis Landfill Remediation Project, in the amount of \$12,725.00. Ms. Sightler stated that it is very important to have a Full-Time Inspector for this Project, to make sure it is the best way to protect the City of Selma in that they are not being over-charged. Ms. Sightler further stated that the Inspector will be on-site the entire time that Smitherman Brothers Construction Company is there, and in the best interest of the City of Selma, it would be best to verify everything that they are going to bill the City. During discussion, a motion was made by Councilwoman Keith, and seconded by Councilwoman Benjamin, to suspend the rules, in order to take action on said Contract for Construction Inspection Services for the Jeff Davis Remediation Project, in the amount of \$12,725.00. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present. During roll call, Councilwoman Crenshaw stated that she is going to vote "yes" so that the other Council Members can vote, but with the understanding that she is going to vote "no", and that there is a reason. A motion was made by Councilman Tucker, and seconded by Councilman Atchison, to approve the Contract for a Full-Time Construction Inspection Services for the Jeff Davis Remediation Project, in the amount of \$12,725.00, via funds that we have remaining in the Pension Plan. A roll call vote was taken and the motion passed with a majority vote of the Council Members present. There were seven affirmative votes and one nay vote. During roll call, Councilwoman Crenshaw stated that her vote will be "no" for the simple fact that when the Bond was initially done she had proposed that \$350,000.00 be placed in the Bond in order to revitalize and upgrade the Landfill; with instructions, Mr. Bowie decided he needed to make a motion that she not put that into the Bond. Councilwoman Crenshaw further stated, now we're finding money somewhere else that could have been used for something else; her vote is "no", based upon the fact that initially that basically should have been done, and the politics taken out of it. During roll call, Councilman Bowie stated his vote will be "yes", and thanked Mayor Evans for re-doing the Pension Plan so that we can use the money.

**B. Presentation by Green Solar Companies on Proposed Housing Development.** Mayor Evans stated to Council that Mr. Glen Ford is here, and that he brought his full Team with him. Mayor Evans asked Mr. Ford to come forward to address the Council, and introduce his Team to the Council. Mr. Ford addressed the Council, and thanked them for the opportunity to make their Presentation. Mr. Ford introduced Members of his Team, to the Council: Mr. Brad Bondurant, Mr. Louis McCarter, Mr. Steve Johnson, Mr. Pedro Paulete, and Mr. Derrick Jackson. President Williamson "Welcomed" them, and stated to them that we are glad to have all of them in Selma. Mr. Ford stated to Council, as he mentioned on last week, his Company is involved in Community Development, Design, Building, Constructing and Manufacturing Structurally Insulated Homes. Mr. Ford further stated that what they have proposed to the City of Selma is a Public-Private Agreement to build homes on 41 of City-Owned Properties throughout the City of Selma. Mr. Ford stated that their Company would actually pay for the construction of the "Model Home", then pay for one (1) home to be sort of a "lottery" to be donated. Mr. Ford further stated that the City's Lots would be deeded to the Developer, the Green Solar Companies, and they would in turn sell the homes. Mayor Evans stated to Council that this is a "work-in-progress". Ms. Griffeth addressed the Council and stated that we are looking at Banks, and working with CDC to help with the "buy-down" of the Mortgages so that we can put people in homes. Ms. Griffeth further stated that there is also a "First-Time Home Buyer's Assistance Program" that we are looking at, as well. President Williamson asked Mr. Ford what is the extent of the City's financial obligation, and what is the extent of the City's liability? Mr. Ford answered, and stated, as the Mayor stated earlier, there has been no obligation on either party, other than the fact that it is something that they would like to do here in the City of Selma. Mr. Ford further stated that there is nothing that has been drafted by our Legal Department for them to review. Mr. Ford stated that he was just asked to come last week, and to come back again this week, to bring their Team and show the capabilities of their Firm, but no Agreement has been made. President Williamson stated he understand that. Mr. Ford stated what he would like to do tonight is leave with some type of commitment on the part of the City of Selma and the Council, that they will have the permission to go forward. Ms. Griffeth stated to Council that she thinks the Mayor's intention is to, following tonight, if the Council is so interested, that they will be working on an Agreement with their Attorney, to bring back that will be palatable for all Council Members; how much land, when and how it will be transferred, and so forth. Ms. Griffeth further stated that she thinks all of those things need to be worked out, as well as, the commitment of the CDC to create the "buy-down" for the houses. Mayor Evans stated this program will be for individuals who pre-qualify and are interested in homes such as these. Mayor Evans further stated that the idea is to build 41 homes all over Selma, in Wards where there is property available that can be donated for that home to be built. Mayor Evans stated that they are not asking the Council to go on record to sign off on anything. Mayor Evans stated all that they are asking tonight is for Council's consent to move forward, to put together a Plan to be presented back to the Council for their review, to see if they want to go any further. Mr. Ford stated to Council that he is hoping that the Council will accept his proposal, and vote it "up" or "down". President Williamson stated to Mr. Ford that the Mayor can present any proposal at any time to the Council. Mayor Evans stated the most important thing now is to ask them to go back and put together a proposal, outlining the "pros" and "cons" about building and every other issue, and then by that time we will have roughly 4 or 5 lots that one can be selected from that can be that "Model Home" in terms of building; further, no homes will be built until after the "Model Home" is done, and the one built to be given away in the form of a "Lottery". President Williamson stated to Mr. Ford that he thinks the assurance that he needs is only the assurance from the Mayor that he will present his plan to this Council because he can present anything to the Council. Mayor Evans stated that once the Proposal comes back, he would like for the Council to review it. Mayor Evans further stated to the Council that he

appreciates them for listening to the presentation given to them by Mr. Ford and his Team. Mayor Evans stated the fact is that no matter what has been done in the past, if it is something "good" you continue; not because somebody else did it and then you come and do it and get criticized; but what he is saying here is, if something is worth looking into no matter who thought about it or who created it, it's something that we ought to try to do and not take it personal or any other way. Mayor Evans further stated it's not about that; it's what's best for the community and that's what we will do from that standpoint, no matter who thought about it; if it's good, we'll do it, and if it's not, we'll go to something else. Mayor Evans stated that this is the position that he takes on this, and he thinks that it is a good concept to look at and explore. Councilwoman Keith asked Mayor Evans if he needed a motion that the Council would entertain any kind of plan, or would the Mayor just bring it back before the Council? President Williamson answered, and stated that a "motion" is not needed at this point, that Mayor Evans can present the Proposal once it is brought back to him. President Williamson and the Council thanked Mr. Ford and his Team, and stated that they look forward to seeing them again. Mayor Evans stated to the Council that he and Attorney Nunn would be getting together to look over what they put together in the form of a Proposal, and that he will be bringing it back before the Council for review, as well.

**C. Resolution #R149-11/12, Award of Riverfront Warehouse Phase I Construction Bid.** Mayor Evans stated to Council that Ms. Charlotte Griffeth is here, and asked that she come forward and address the Council, to give an update. Ms. Griffeth stated to the Council that at the last Council Meeting they indicated that they were going to "Value Engineer" with the lowest bidder. Ms. Griffeth further stated to Council that they should have before them Resolution #R149-11/12, Award of Riverfront Warehouse Phase I Construction Bid which states the Award amount. Ms. Griffeth stated to Council that they should also have a letter from Frasier-Ousley Construction and Engineering, Incorporated, which states that they will be willing to enter into an agreement with the City for the base bid amount, less the savings resulting from the "Value Engineering", in the amount of \$597,800.00, for the Phase I Construction of the Riverfront Warehouse Amphitheater. Ms. Griffeth asked Council's approval of Resolution #R149-11/12, Award of Riverfront Warehouse Phase I Construction Bid for the Amphitheater. During discussion, a motion was made by Councilwoman Keith, and seconded by Councilwoman Benjamin, to approve Resolution #R149-11/12, Award of Riverfront Warehouse Phase I Construction Bid for the Amphitheater. During more discussion, an amended motion was made by Councilwoman Crenshaw, and seconded by Councilman Bjelke, for the Council to take action on this Item after the meeting is held with Ms. Elizabeth Brown on next Wednesday, February 1<sup>st</sup>, or Thursday, February 2<sup>nd</sup>. A roll call vote was taken and the motion passed with a **unanimous vote of the Council Members present**. Therefore, the previous motion made by Councilwoman Keith, and seconded by Councilwoman Benjamin, were both withdrawn for action by the Council. President Williamson stated that he would like for Councilwoman Keith, Councilman Bjelke, and any other interested Council Member, to also meet with Ms. Elizabeth Brown on next Wednesday, February 1<sup>st</sup> at 3:00 p.m., or on Thursday, February 2<sup>nd</sup>, at 3:00 p.m., depending on her availability between the two (2) days.

**D. New Official Visitor Guide to Selma.** Mayor Evans stated that to Council that they should have a copy of the *New Official Visitor Guide* which has a lot about our City, and that he appreciates everything that they did to come up with such a wonderful *Guide*.

**E. Upcoming Movies at the Selma Walton Theater:** Mayor Evans stated to Council that he would like to announce "Upcoming" Movies at the Selma Walton Theater:

- "Red Tails" - Thursday, February 2<sup>nd</sup>, 7:00 p.m. (last showing);
- "Joyful Noise" - Opens Friday, February 3<sup>rd</sup>, for one week;
- "The Little Mermaid" - Family Movie, Saturday, February 4<sup>th</sup>;
- "Extremely Loud & Incredibly Close" - Opens Friday, February 10<sup>th</sup>, for 1 week; and
- "Courageous" - Sunday, February 12<sup>th</sup>, 2:00 p.m. - Special Showing

See the Theater Website at [www.selmawaltontheater.com](http://www.selmawaltontheater.com) for upcoming movies, ticket prices, and show times.

**F. Trash Trailer Locations.** Mayor Evans stated to Council that they should have before them a schedule for the Trash Trailer Locations for the Months of January and February, for Wards Four and Five:

- February 3<sup>rd</sup>-6<sup>th</sup>, Ward 5; and
- February 10<sup>th</sup>-13<sup>th</sup>, Ward 4.

**G. Reminder, and Announcements.** Mayor Evans stated he would like to announce, and advise the Council of the following:

- (1) *Softball and Baseball Registration - "Open" - Memorial Stadium*
- (2) *Follow-Up, "A Call to Action" Meeting - February 6, 2012, Carl C. Morgan Convention Center - 6:00 p.m.*

- (3) *City-Wide Clean-Up Day – February, Date TBA*
- (4) *Bridge Crossing Jubilee – March 1 - 5, 2012*
- (5) *Historic Selma Pilgrimage – March 16 - 17, 2012*
- (6) *Mayor's Ball – April 19, 2012, Riverfront Park*
- (7) *AHSAA Track Meet – May 4 - 5, 2012*
- (8) *Pray for Selma every Wednesday Morning at 10 o'clock*

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.

**H. Resolution #R151-11/12 - Permission for A2D, Incorporated, To Install Broadband Infrastructure Along City of Selma Right-of-Way.** Mayor Evans stated to Council that they should have before them Resolution #R151-11/12, Permission for A2D, Incorporated, To Install Broadband Infrastructure Along City of Selma Right-of-Way, which was drafted by Attorney Nunn. Mayor Evans further stated to Council that said action with regard to Permission for A2D, Incorporated, To Install Broadband Infrastructure Along City of Selma Right-of-Way was approved during our last Council Meeting, but that it has now been put in the form of a Resolution drafted by Attorney Nunn, Resolution #R151-11/12, to reflect the action that was taken. Mayor Evans stated that said Resolution #R151-11/12 outlines what they are to do that the Council approved during the last Council Meeting. Mayor Evans further stated that Resolution #R151-11/12 also outlines the terms and conditions of this Agreement, as well as, stipulates the accountability that goes along with this Project.

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

**A. ABC License Application - Sugar Shack - 1215 Alabama Avenue.** Attorney Nunn stated to Council that if they recall, the Council approved an Alcoholic Beverage License Application as it relates to Sugar Shack, for a Lounge Retail Liquor - Class I License, which is located at 1215 Alabama Avenue. Attorney Nunn further stated that on the second page of said Alcoholic Beverage License Application as it relates to the square footage of the building, there was an error listed for the square footage of the building, and that it should have listed 1400 square footage. Attorney Nunn stated the correction has been made, and Agent Peterson apologizes for not getting this correction made in time for our last Council Meeting. Attorney Nunn stated to Council that the revisions are before them for the Alcoholic Beverage License Application for the Sugar Shack, for a Lounge Retail Liquor - Class I License, which is located at 1215 Alabama Avenue.

**B. Reimbursement of A.M.I.C. Deductibles.** Attorney Nunn stated during the last Council Meeting that he stated to Council that he needed to research this Item for further clarification, as to the Multiple Claimants, and that he would bring back before the Council during the next Council Meeting, which is tonight. Attorney Nunn further stated research clarified that the "Multiple Claimants" referenced in this Statement are the Claimants from the O'Hara Place Claim, which included three (3) or four (4) Claimants, which was the lawsuit filed on behalf of said Claimants involved in a similar situation as the North Broad Claim. Attorney Nunn asked Council's consideration for approval. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Keith, to approve the Reimbursement of A.M.I.C. Deductibles in the amount of \$10,317.60. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

#### **BUSINESS ITEM:**

##### **I. CHANGE OF NEXT COUNCIL MEETING DATE**

Councilman Bowie stated to President Williamson that our first Council Meeting for February is going to be on Tuesday, February 14<sup>th</sup>, which is "Valentine's Night", and he wanted to "poll" the Council to see if they would like to have the Council Meeting on that Monday, February 13<sup>th</sup>. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Atchison, to approve moving the Council Meeting from Tuesday, February 14<sup>th</sup>, to Monday, February 13<sup>th</sup>, at 5:00 p.m. A roll call vote was taken and the motion passed with a majority vote of the Council Members present. There were six affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote. During roll call, Councilwoman Crenshaw stated she loves Valentine's Day, and that, basically on Valentine's Night, this Council actually needs to meet, and talk about love; and, bring some candy . . . , in the past what they've

done is brought cards, and wore red as an "expression time", and that they also met only for one (1) hour, and that was one important thing! Councilwoman Crenshaw further stated that she is not a "scrooge"; that she loves Valentine's Day, and doesn't have a problem with that at all.

**CLOSING REMARKS BY EACH COUNCIL MEMBER.**

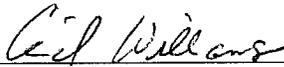
During Closing Remarks, President Williamson stated, most everybody knows this, but Councilman Randolph has been on Military Leave for the past month, and we certainly want to extend Condolences to he and his Wife in the passing of her Father. President Williamson stated that he believes the Funeral Services have been scheduled for Saturday, February 4<sup>th</sup>. President Williamson stated that he is sure all of the Council extends their Condolences to the Randolph Family, and his Wife's Family in the passing of her Father.

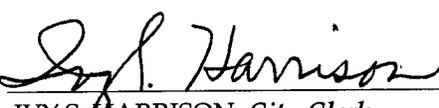
Also, during Closing Remarks, Mayor Evans stated that Mr. Leon Majors, of our Public Buildings' Department, became ill suddenly on yesterday, and had to have Open Heart Surgery on today at Jackson Hospital in Montgomery.

**CLOSING PRAYER WAS OFFERED BY COUNCILMAN THOMAS ATCHISON FOR MR. LEON MAJORS, OF THE PUBLIC BUILDINGS' DEPARTMENT, WHO HAD OPEN HEART SURGERY ON TODAY, AND COUNCILMAN RANDOLPH'S FAMILY IN THE LOSS OF HIS FATHER-IN-LAW WHO PASSED AWAY.**

**ADJOURNMENT**

There being no further business to come before the Council, a motion was made by Councilwoman Keith, and seconded by Councilwoman Crenshaw, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 6:49 p.m.

  
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DR. CECIL WILLIAMSON, *Council President*

ATTEST:  
  
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IVY S. HARRISON, *City Clerk*

APPROVED:  
  
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GEORGE PATRICK EVANS, *Mayor*