

**MINUTES OF THE  
SELMA CITY COUNCIL  
OCTOBER 29, 2009  
5:00 P.M.**

**Call to Order**

Invocation: Reverend George Jones, Pastor  
Fairview Baptist Church

**Pledge of Allegiance**

The Selma City Council met in a regular session in the Council Chambers of City Hall on Thursday, October 29, 2009 at 5:00 p.m.

**ROLL CALL**

The following members were present during roll call: Council President Dr. Geraldine Allen and Council members Dr. Cecil Williamson, Susan Keith, Benny L. Tucker, Bennie R. Crenshaw, and Corey Bowie. Others present were Mayor George Evans, City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, and City Treasurer Cynthia Mitchell. Councilwoman Monica Newton was absent during roll call, but arrived at 5:26 p.m. Councilwoman Angela Benjamin was absent during roll call, but arrived at 5:19 p.m. Councilman Samuel Randolph was absent, but President Allen stated that he had called her and he was on his way to the Council Meeting.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

President Allen stated she would like the Council to defer the Minutes of October 13, 2009 regular meeting minutes, as Mrs. Ivy Harrison, our City Clerk, has been very busy with the Special Election that was just held on Tuesday, November 10<sup>th</sup>, but she will have those prepared and ready by our next Council Meeting. President Allen stated again she wanted to thank Mrs. Ivy Harrison for her expedience in getting the minutes to them.

**CITIZENS' REQUEST**

Reverend Ocie Acoff  
Re: Perry Varner Education and Treatment Facility

Reverend Winston Williams  
Re: Selma Christian Ministries

Mr. Chris Minter  
Re: Soul Troopers

Ms. Veronica Jones  
Re: House Shootings

**MAYOR'S REPORT**

A. **Ordinance #O114-03/04 (Amended)**. Mayor Evans stated to Council that they should have before them the Ordinance that deals with the Curfew, which was drafted in 2006 that they tried to implement but was unable to because of some circumstances. Mayor Evans further stated Ordinance #O114-03/04, an Amended Ordinance to Establish Curfew Application to Minors, Regulating their Actions

on the Public Streets and Other Places; Defining the Duties of Parents, Guardians or Other Responsible Persons; Providing Penalties of this Provision. Mayor Evans stated Judge Robert (Bob) Armstrong is here and has initiated another "charge" to said Ordinance, securing some things with our young people, along with Probate Judge Ballard, President Allen, Chief Riley, and Sheriff Huffman. Mayor Evans further stated he would like for Judge Armstrong to come forward and address the Council as it relates to this particular approach and the Ordinance that deals with Curfew for our young people in the City of Selma. During discussion, a motion was made by Councilman Williamson, and seconded by Councilwoman Keith, to place the Amended Curfew Ordinance #O114-03/04, on 1<sup>st</sup> Reading, which is an Amended Ordinance to Establish Curfew Application to Minors, Regulating their Actions on the Public Streets and Other Places; Defining the Duties, of Parents, Guardians or Other Responsible Persons; and Providing Penalties of this Provision. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

**B. Proclamations.** Mayor Evans stated he would like to present Proclamations on behalf of the Mayor and the City Council to the following:

(1) Proclamation Declaring November, 2009, as "*National Home Care Month*", in Selma, Alabama, encouraging the support and participation of all Citizens in learning more about the Home Care and Hospice Concepts of Care, for the Elderly, Disabled and Infirmed; and

(2) Proclamation Declaring November, 2009, as "*National Hospice Month*", in the City of Selma, Alabama, Honoring Cahaba Hospice, Wiregrass Hospice, and Aseracare Hospice, and encouraging all Citizens of Selma to increase their awareness of the importance and availability of Hospice Services, urging our Citizens to recognize the importance of Hospice Care and the vital services offered by its dedicated Professionals, and to observe this Month November, 2009, with appropriate activities and programs.

**C. Resolution Honoring President Barack Obama - Recipient of the "Nobel Peace Prize".** Mayor Evans read a Resolution Honoring President Barack Obama as Recipient of the "Nobel Peace Prize", in its entirety, which respectfully acknowledges that on October 9, 2009, President Barack Obama received the 2009 Nobel Peace Prize, becoming the Fourth U.S. President to win the Prestigious Prize, and the Third Sitting President to do so; the Norwegian Nobel Committee praised President Obama for his extraordinary efforts to strengthen international diplomacy and cooperation between people, citing his fledgling push for nuclear disarmament and his outreach to the Muslim world; and the Nobel Committee recognized President Obama's efforts at dialogue to solve complex global problems, including working towards a world free of nuclear weapons; further, President Obama accepted the Prize, pushing for nonproliferation of nuclear arms, a reversal of the global economic downturn and a resolution of the Arab-Israeli conflict. Mayor Evans and the Selma City Council Honor President Barack Obama for receiving the Nobel Peace Prize and his policy of inspiring hope to all people of all Nations.

**D. Introduction of New Employee.** Mayor Evans stated he would like to introduce Ms. Toby Nordin, who recently began employment with the City of Selma, within the Office of Planning and Development, as Secretary.

**E. Length of Service Recognition Awards and Pins.** Mayor Evans stated he would like to present Certificates of Service and Longevity Pins in recognition of the following employees: Ms. Sharon Keebler, Selma Police Department, *Ten Years of Service*, and Sgt. Johnny King, Selma Police Department, *Twenty-Five Years of Service*, to the City of Selma. Mayor Evans stated he would like to thank both of them for their Years of Dedicated Service to the City of Selma.

**F. Recognition of Detective Dorothy Cowan.** Mayor Evans stated to Council that he would like to recognize Detective Dorothy Cowan, of the Selma Police Department, who was nominated as "*Officer of the Year*", today at noon, by the Selma Exchange Club. Mayor Evans further stated Detective Cowan was given a Plaque and Yellow Roses in recognition of this honor. Mayor Evans further stated Detective Cowan works with the PALS Program, and does an outstanding job. Detective Cowan was applauded for this honor. Detective Cowan thanked Mayor Evans, the Council and everyone for their support.

**G. Employee Health Plan.** Mayor Evans stated to Council that we have to adopt a health care plan for our Employees, and stated he has been working trying to come up with a plan that will be beneficial to our Employees. Mayor Evans stated he has been working with Ms. Pauline Williams, Insurance Analyst for the City, along with Mr. Randy Tucker of Blue Cross Blue Shield, and Mr. Holland Powell of Benefit Development Group (BDG). Mayor Evans further stated to Council that they should each have a copy of the proposed Health Plan for our Employees. Mayor Evans asked Mr. Holland Powell, Mr. Randy Tucker, and Ms. Pauline Williams to come forward and address the Council as it relates to the proposed Health Plan for our Employees. Following a lengthy discussion, Councilman Williamson asked President Allen if the Council could "Table" this discussion, and pay the one (1) month at the higher rate, to give the Council time to study this and realize what they are voting on. Mr. Tucker stated to the Council that they can make Plan Changes at any time, even as late as March of next year, for instance. President Allen asked Mr. Tucker if we

could remain at where we are now, and make changes next month, and he stated we could. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Benjamin, to pay the one (1) month premium, with the understanding that the Council just got this information, and it is very complicated to act on at this time without the Council's review, but will come back and take action after the Council has had the opportunity to review this proposed Health Plan. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.** President Allen stated this matter is a "Work Session" topic, and she would like to include the Administrative Committee when the Council meets.

**H. Copy Machines and Printers - Update.** Mayor Evans stated to Council that he has been working diligently for the past four months on trying to get our copier machines and printers in line. Mayor Evans further stated as they know Ray Davis & Company is no longer in business, and we were leasing Canon Copiers via Ray Davis & Company, and we now need to get some more copier machines in our City. Mayor Evans stated he has been working with Ricoh Company. Mayor Evans asked the Representatives of Ricoh to come forward; namely, Mr. Jay Davis, Mr. Keith Blackwell, and Mr. Mark Turner. Mr. Davis, Mr. Blackwell, and Mr. Turner shared a PowerPoint Presentation to the Council, as it relates to the current status of copiers and printers within City Government, and offered a proposed solution to the copying and printing needs, as it relates to our current state, broken down by Department. Mr. Davis, Mr. Blackwell, and Mr. Turner presented a proposal, on behalf of Ricoh, which includes Copiers and Printers, with Buy-Out of Current leased equipment with Canon, and purchases of pieces of equipment that the City owns as "Trade-Ins", along with Customer Services for the leased equipment, plus Service and Supplies. Mayor Evans stated his recommendation to the Council is to move forward with this plan because this offer expires on November 15, 2009, and based upon what has been presented he believes that what Ricoh has to offer can benefit us tremendously in terms of monthly and annual savings, and still have a good product. During discussion, a motion was made by Councilman Tucker, and seconded by Councilwoman Keith, to approve the proposal offered by Ricoh for Copiers and Printers, in the lease amount of \$3,681.44, for Sixty (60) Months. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.** During roll call, Councilman Williamson made the following statement, . . . "I'm going to vote yes on this, but I'm going to say up front, as I've said before, Mayor, we're going to have Twelve Million Dollars; please don't bring just one proposal, or one bid, for any of this equipment of this Twelve Million Dollars that we are spending, and I vote yes." Also, during roll call, Councilwoman Crenshaw made the following statement; . . . "Not only am I glad about this Service but they also said that as far as hiring African-Americans, they said that they do have 15% and I'm glad of that, and my vote is yes."

**I. Code of Ordinances - Online.** Mayor Evans stated to Council that the Code of Ordinances is now on-line, and available to the Council Members.

**J. 7-Hour Work Day.** Mayor Evans stated as we said at the last Council Meeting, our Employees will move back from the 12.5% as of this pay period coming, which begins for those who are paid Bi-Weekly on November 13<sup>th</sup>, and Weekly will get their pay started back on November 6<sup>th</sup>. Mayor Evans further stated Employees lost that 12.5% based upon that "hour" of salary and that he is proposing to give it back to the Employees, and that they continue the 7-hour work day as they have in the past, from 8:30 a.m. until 4:30 p.m., with no increase in hours at this point. Mayor Evans stated his rationale for that is that we took money from them this year, and he would like to give it back to them between now and September, from the standpoint of they will still work the 7-hour a day, and get paid what they lost this past year, and at the beginning of the next fiscal year, consider the option of going to the 8-hour work day, so that they will recoup their money that they lost this year. During discussion, a motion was made by Councilman Tucker, and seconded by Councilman Bowie, to approve giving the 12.5% back to the Employees, with a 7-Hour Work day period from 8:30 a.m. until 4:30 p.m. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

**K. Outsourcing Fleet and Small Engine Equipment Maintenance.** Mayor Evans stated he has met with the Department Heads of Fire, Police, Recreation, Cemetery and Public Works, who have been taking their vehicles to the City's Fleet Maintenance Department for services; such as, oil changes, grease jobs, checking engines, and tune-ups. Mayor Evans further stated that since meeting with the Department Heads, they are considering outsourcing these type of maintenance services to local Companies, provided the quotes we get from these Companies can be such that it can be based on hourly, and based on parts, and the one with the lowest cost will be who the City will use for one (1) year, and at the end of that period it will be revisited to determine whether or not this is the way we want to continue proceeding. Mayor Evans stated for tires needed, and so forth, we will send the vehicles to Companies who specialize in tires, rotation of tires, and balancing of tires. Mayor Evans further stated this has not been finalized as of yet, and is a work-in-progress. Mayor Evans stated he will bring back a report to the Council.

**L. Update - Red Light Camera Statistics.** Mayor Evans stated to Council that they should have within their packets information that he received from the Traffic Light matter, as it relates to the City of Montgomery and how they have progressed with the use of the Red Light Cameras, for their review. President Allen stated the Statistics will go to the Public Safety Committee, and asked that the Public Safety Committee bring back a report to the Council, as it relates to this. During discussion, a motion was made by

Councilwoman Keith, and seconded by Councilwoman Crenshaw, that we update our Red Lights here in Selma. During further discussion, an amended motion was made by Councilwoman Keith, and seconded by Councilwoman Crenshaw, that we do an analysis of the traffic lights' needs in the City. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

M. Movie Theater - Update. Mayor Evans stated to Council that he received a letter from Aronov, and they have abandoned the Agreement with the Gaiter Company, because they have not been able to have a meeting to make necessary changes. Mayor Evans further stated that concept and idea as it relates to the Movie Theater located in the Selma Mall is no longer available to us. Mayor Evans stated we are working with another Company to see if they are interested in making a proposal and coming to Selma, but right now it is a work-in-progress.

N. Landfill - Update. Mayor Evans stated to Council that the Landfill on J. L. Chestnut, Jr. Boulevard will be officially closed as of the last day of this month, and the new Landfill will open on November 1<sup>st</sup>, as scheduled. Mayor Evans further stated that due to the rain, the completion of the entrance road will not be completed until Monday, November 2<sup>nd</sup>, but that everything is on "target" with the Landfill. Councilwoman Crenshaw stated that she wants whatever is being done will not cause flooding to the other side of L. L. Anderson Avenue, and she wants to make sure that A.D.E.M. knows that they do not want water to be able to flow and flood onto that L. L. Anderson Avenue side. Councilwoman Crenshaw stated to Mayor Evans that she would like for him to do a site visit with her, to make sure that everything is being properly done, and he agreed to do so. Mayor Evans also asked Ms. Charlotte Griffeth to come forward and address the Council as it relates to the Landfill. Ms. Griffeth stated that A.D.E.M. will be here on tomorrow morning at 9:45, and will be looking at both sites but mainly to certify the new Landfill, which is about 98% complete. Ms. Griffeth further stated that the Engineers will be here, also.

O. Resolution #R117-09/10 - Weed and Seed Grant. Mayor Evans asked Ms. Charlotte Griffeth to address the Council as it relates to Resolution #R117-09/10. Ms. Griffeth stated she would like to thank each of the Council Members who have participated and assisted us, as it relates to the Weed and Seed Grant Application, that they are about to submit to the Department of Justice, the local U.S. Attorney's Office in Mobile, Mr. Eric Day, for Official recognition. Ms. Griffeth further stated if we are granted the Official Recognition, we will then submit for Official recognition on November 10<sup>th</sup>, to the U. S. Department of Justice, for a total value of \$250,000.00 per year for Five (5) years for an aggregate amount of \$1,000,000.00 with a 25% match requirement of \$62,500.00 each year, incurred via the Grant Match Line Item. A motion was made by Councilwoman Keith, and seconded by Councilwoman Crenshaw, to approve said Resolution #R117-09/10, an Authorization to submit application for a Weed and Seed Grant via the U. S. Department of Justice. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

P. Resolution #R118-09/10 - Recreational Trails Program Grant. Ms. Griffeth addressed the Council, and stated she would like to again thank Councilwoman Newton, and the Recreational Committee for all of the hard work, and she thinks the City of Selma is moving towards something that most Cities are doing now. Ms. Griffeth further stated we have the attention of A.D.E.C.A., as well as, the Department of Transportation, in developing a possible Master Plan for this. Ms. Griffeth stated this application is for a small grant that is due on Monday, November 2<sup>nd</sup>, for \$100,000.00, with a cash match in the amount of \$20,000.00. Ms. Griffeth further stated, in conjunction with the aforementioned Project, the City proposes to convert Satterfield Street from a two-lane street into a one-lane street, utilizing the Municipal Gas Tax Revenue, not to exceed \$30,000.00 for re-surfacing and striping of the Satterfield Street. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Newton, to approve said Resolution #R118-09/10 for the Recreational Trails' Program Grant Application in the amount of \$100,000.00 with a cash match of \$20,000.00, and utilizing the Municipal Gas Tax Revenue for the Street Resurfacing and Striping Project, not to exceed \$30,000.00. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

Q. Bond Project Proposals- Update. Mayor Evans stated to Council that he is planning to meet with each Department Head to begin identifying those areas that have already been approved for the Bond, to begin putting the "paper trail" together, for the benefit of meeting and making sure that we have in order the sequence and process by which we will be doing the Bond Projects.

R. Update - Welcome Center - Located at 132 Broad Street. Mayor Evans stated to Council if they recall he gave them a proposal as it relates to the "Selma Welcome Center", pending the passage of the Bond. Mayor Evans further stated he would like to ask the Council to approve the expenditures proposed as it relates to the "Selma Welcome Center", in the amount of \$19,428.00 for the initial cost, and the monthly expenses will be \$1,257.00 per month, and \$15,084.00 for the annual cost. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve the recommended Proposal by the Mayor, for the "Selma Welcome Center". A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

S. Holidays - Thanksgiving Day. Mayor Evans stated to Council that he would like the Council to approve Thursday, November 26<sup>th</sup>, and Friday, November 27<sup>th</sup>, for Thanksgiving Day Holidays for City Employees. A motion was made by Councilman Williamson, and seconded by Councilman Tucker, to approve November 26<sup>th</sup> and November 27<sup>th</sup> for Thanksgiving Day Holidays for City Employees. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

T. Holidays - Christmas Day. Mayor Evans stated to Council that Christmas Day is on a Friday this year, and he would like the Council to approve Thursday, December 24<sup>th</sup>, Christmas Eve, and Friday, December 25<sup>th</sup>, for Christmas Day Holidays for City Employees. A motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Keith, to approve December 24<sup>th</sup> and December 25<sup>th</sup> for Christmas Day Holidays for City Employees. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present. Mayor Evans stated the "Christmas Tree Lighting" Ceremony will be on Thursday, December 3<sup>rd</sup>, at 4:30 p.m., in front of City Hall, and invited the Council Members and everyone to attend.

U. Holiday - New Year's Day. Mayor Evans stated to Council that it is standard for City Employees to be off on New Year's Day, which is also on a Friday this year. A motion was made by the Council to approve Friday, January 1, 2010, for the New Year's Day Holiday for City Employees. A motion was made by Councilman Williamson, and seconded by Councilwoman Keith, to approve January 1, 2010, for the New Year's Day Holiday for the City Employees. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

V. Downtown-Main Street - Renovations. Mayor Evans asked Ms. Griffeth to come forward and address the Council as it relates to the Downtown-Main Street - Renovations. Ms. Griffeth handed out a "Downtown Selma Association/Main Street" Report. Councilwoman Newton asked when will the Council be able to see the Downtown Market Study? Ms. Griffeth answered and stated that they have a "draft" in the Office now, and it should be in its "final form" by next week.

W. Christmas Parade. Mayor Evans stated the Christmas Parade is scheduled for Saturday, December 5<sup>th</sup>, the first Saturday in December, at 9:00 a.m. Mayor Evans further stated normally the Council and the Mayor have always been in the Parade, and he is assuming this same plan will be in place for this year.

X. Resolution #R119-09/10 - Warrants Refinancing. Mayor Evans stated to Council that they should have before them Resolution #R119-09/10, as it relates to Refinancing of the Warrants. Mayor Evans asked Ms. Cynthia Mitchell to come forward and address the Council, in the event the Council may have questions. Ms. Mitchell addressed the Council, and stated that the Investment Bankers have been working on trying to re-finance two (2) Warrants that we are now paying out of the General Fund Budget, and it will reduce our yearly expenses if we were to re-finance them. During discussion, a motion was made by Councilman Tucker, and seconded by Councilman Williamson, to approve Resolution #R119-09/10, which authorizes the appointment of the Investment Bankers, to proceed with the procedure to re-finance the 1999 Warrants. A motion was made by Councilman Tucker, and seconded by Councilman Williamson, to approve Resolution #R119-09/10, as it relates to the Refinancing of the Warrants. 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. Councilwoman Newton and Councilwoman Crenshaw both cast a nay vote.

#### CITY ATTORNEY'S REPORT

#### EXECUTIVE SESSION

Attorney Nunn made a request for the Council to recess into an Executive Session for approximately 8 minutes, to discuss pending litigation. A motion was made by Councilman Tucker, and seconded by Councilwoman Keith, to recess into executive session. The motion carried with a unanimous (show of hands) vote of the Council Members present.

Following Executive Session, a motion was made by Councilwoman Keith, and seconded by Councilman Bowie, to reconvene the Council meeting back into its regular session at 8: 40 p.m.

A. Settlement of Case #CV-239. A motion was made by Councilwoman Newton, and seconded by Councilman Tucker, to settle the lawsuit of Case #CV-239. A roll call vote was taken and the motion passed with a majority vote of the Council Members present. There were seven affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote. During roll call, Councilwoman Crenshaw stated she was not in on the discussion, and her vote is no.

B. Resolution #R114-09/10 - Resolution Declaring Public Nuisance and Immediate Abatement. Attorney Nunn stated to Council that they should have before them Resolution #R114-09/10,

which identified the described properties in said Resolution as being a nuisance, by the Code Enforcement Officer. Attorney Nunn further stated the Attachment described as "Exhibit A" gives a listing of the Property Owner, Property Address, Ward Location, and the Cost to Abate the Property. Attorney Nunn asked Council's consideration of the same. A motion was made by Councilwoman Newton, and seconded by Councilwoman Benjamin, to approve Resolution #R114-09/10. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

C. Resolution #R103-09/10 - Resolution Awarding Contract for Gasoline and Diesel Fuel to Cougar Oil. Attorney Nunn stated Resolution #R103-09/10 is a Resolution Awarding Contract for Gasoline and Diesel Fuel to Cougar Oil. Attorney Nunn further stated the City Clerk has complied with the State Law, opening the sealed bids on September 23, 2009, and Cougar Oil Company was the lowest responsible bidder. Attorney Nunn asked Council's consideration of the same. A motion was made by Councilwoman Keith, and seconded by Councilwoman Newton, to approve Resolution #R103-09/10 and Award the Gasoline and Diesel Fuel Contract to Cougar Oil. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

D. A.M.I.C. Invoice/Statement. Attorney Nunn stated to Council that they should have before them an invoice from A.M.I.C. as it relates to three (3) Claims, and also attached to the invoice is a copy of each of the Claims, for their information. Attorney Nunn further stated the invoice is the reimbursement of the deductible in the amount of \$2,458.59 to Alabama Municipal Insurance Corporation (A.M.I.C.). Attorney Nunn asked Council's consideration of the same. A motion was made by Councilwoman Keith, and seconded by Councilwoman Keith, to approve the reimbursement payment of the deductible in the amount of \$2,458.59 to the Alabama Municipal Insurance Corporation (A.M.I.C.). A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

E. Ordinance #O101-09/10 - Residency of Department Heads Within Dallas County. Attorney Nunn stated to Council that they should have before them Ordinance #O101-09/10, which represents the Residency of Department Heads living within Dallas County, and asked Council's consideration of the same. A motion was made by Councilman Tucker, and seconded by Councilman Williamson, to place Ordinance #O101-09/10, Residency of Department Heads within Dallas County, on 1<sup>st</sup> Reading. A roll call vote was taken and the motion passed with a majority vote of the Council Members present. There were seven affirmative votes and one nay vote. Councilwoman Crenshaw cast a nay vote.

F. Resolution #R115-09/10, Resolution to Rescind and Repeal Resolution #R159-08/09 Whereby the Salaries of the Department Heads and Exempt Employees were Decreased by Twelve and One-Half Percent (12.5%). Attorney Nunn stated to Council that that they should have before them a copy of Resolution #R115-09/10, along with an attached copy of Resolution #R159-08/09 in which all of Department Heads and Exempt Employees received a Twelve and One-Half Percent (12.5%) deduction in their salaries. Attorney Nunn further stated Resolution #R115-09/10 is Repealing said Resolution, and implement the Twelve and One-Half Percent (12.5%) Increase back to their salaries. Attorney Nunn asked Council's consideration of the same. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve Resolution #R115-09/10, Resolution to Rescind and Repeal Resolution #R159-08/09, Whereby the Salaries of the Department Heads and Exempt Employees were Decreased by Twelve and One-Half Percent (12.5%), and to also include the addition of the Salaries of the Mayor and the Council Members who volunteered to have their Salaries reduced by the Twelve and One-Half Percent (12.5%). A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

G. Resolution #R116-09/10, Resolution to Rescind and Repeal Resolution #R158-08/09 Whereby the Work Week Was Reduced from a Forty (40) Hour Work Week to a Thirty-Five (35) Hour Work Week. Attorney Nunn stated to Council that that they should have before them a copy of Resolution #R116-09/10, Resolution to Rescind and Repeal Resolution #R158-08/09 whereby the Work Week was Reduced from a Forty (40) Hour Work Week to a Thirty-Five (35) Hour Work Week. Attorney Nunn asked Council's consideration of the same. A motion was made by Councilwoman Newton, and seconded by Councilwoman Keith, to approve Resolution #R116-09/10, Resolution to Rescind and Repeal Resolution #R158-08/09, Whereby the Work Week was Reduced from a Forty (40) Hour Work Week to a Thirty-Five (35) Hour Work Week. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

H. Private Club Tax. Attorney Nunn stated to Council if they recall during the last Council Meeting there was some discussion as it relates to this matter, and it was referred to the Committee, and what came out of the Committee was that there was some type of discrepancy between Private Clubs and Public Clubs, as it relates to payment of the Liquor Tax. Attorney Nunn further stated, per Council, it was requested that he draft a resolution or ordinance, to include the requirement that Private Clubs pay liquor tax just as the Public Clubs are required. Attorney Nunn stated once the research was started they did not see any type of discrepancy because on the Books, it does not distinguish between Private Clubs and Public Clubs. Attorney Nunn stated that at this point and time he would like to ask Mr. Roosevelt Goldsby to come forward and address the Council as it relates to the Private Club Liquor Tax. Mr. Goldsby addressed the Council and

stated, just as Attorney Nunn had already stated, during their research they were not able to find anywhere in the Code, nor in the Minutes, whereby it states that Private Clubs were to be exempt from the liquor tax. Mr. Goldsby further stated the only thing that they could come up with was, it was an agreement at that time, and due to Private Clubs being considered non-profit, it was probably just a "practice" that has been carried on through the years. President Allen stated the Public Safety Committee will be meeting on next week, and Councilman Randolph, the Chairman of that Committee, has stated to her that he is inviting both Groups to come and be a part of this for a Public Forum, and the Committee will report at the next Council Meeting. Councilwoman Keith also stated that Councilman Randolph asked her to announce that the Public Safety Committee will meet on next Thursday, November 5<sup>th</sup>, at 6:30 p.m., here in the Council Chambers, and everybody is invited to attend.

I. Election - Update. Attorney Nunn stated to Council that what he has just handed out to the Council Members is an unofficial Summary of the votes cast during the Special Election of Tuesday, October 27<sup>th</sup>. Attorney Nunn further stated the Summary lists the votes cast for each of the Propositions, beginning with Proposition No. 1, for the Straight Ticket, and on through to Proposition No. 13, and on the last page they will see the results of the total amount of votes that the Candidates received for the School Board Election. Attorney Nunn further stated on today, due to a Voting Precinct Election Official placing some Provisional Ballots into a Box that they should not have, we did have to file an Ex Parte Petition with the Judge, to get permission to open that Box in order to get the Provisional Ballots out of it, and we did receive that Order approved from the Judge, Granting us to be able to do so. Attorney Nunn stated we will have to open the Box and get the Provisional Ballots, and deliver to the Board of Registrars Office. Attorney Nunn stated we have to Canvass the Election Seven (7) days from the date of the Election, which is next Tuesday, November 3<sup>rd</sup>. During discussion, President Allen stated that there will be a Special Called Meeting on Tuesday, November 3<sup>rd</sup>, at 11:00 a.m., here in the Council Chambers, to Canvass the Election. Attorney Nunn stated although the Bond passed no one received a majority vote within the Four (4) Districts and the Chairman's Seat for the School Board, there will be a Run-Off Election for all Four (4) Districts and for the Chairman, and that the date for the Municipal Run-Off Election is Tuesday, December 8, 2009. Attorney Nunn further stated the Absentee Ballot process shall start no later than Fourteen (14) days from the date of the Special Election, October 27, 2009.

**BUSINESS ITEMS:**

I. DATE OF NEXT COUNCIL MEETING

President Allen stated she placed this item on the Agenda because she did not know if any of the Council Members were planning to attend the League of Cities' Meeting in San Antonio, Texas, and whether or not they needed to change the next scheduled Council Meeting. President Allen asked for a "show of hands" of those planning to attend the League Meeting, and it appears that there will be enough Council Members who are not planning to attend that meeting in San Antonio, and a quorum can be established for the regularly scheduled Council Meeting on Tuesday, November 10<sup>th</sup>.

II. DOWNTOWN ART WALK

Councilwoman Benjamin stated that Ward 4 is having their "First Annual Next Level Anniversary", and instead of having it within Ward 4, they will be having it so that the City of Selma can share that with them. Councilwoman Benjamin further stated the Art Walk will commence at the Edmund Pettus Bridge, with an "Art Walk" Downtown, collaborating with the Public Library, ArtsRevive, Chamber of Commerce, Movies with Mayor Evans at the Performing Arts Center, and more that she will be reporting on at a later date. Councilwoman Benjamin asked everyone, including Businesses, to save the date of December 11<sup>th</sup>.

III. YOUTH CONFERENCE

Councilwoman Benjamin made an appeal to the Council as it relates to the donations on behalf of the Youth Conference. President Allen stated she will have a Discretionary Form to pass around to the Council, at the next Council Meeting, as it relates to this.

IV. UNIVERSITY OF ALABAMA VISITS THE CITY OF SELMA

Councilwoman Benjamin stated that some of the Students that she works with at the University of Alabama, visited us on yesterday. Councilwoman Benjamin further stated they met with the Students at Selma High School, as it relates to Financial Aid, and the Scholarship Programs that the University of Alabama has to offer. Councilwoman Benjamin stated they had a wonderful time here. Councilwoman Benjamin also read Emails that she had received from the University of Alabama Students, expressing their gratitude for such a "wonderful time" here in Selma. Councilwoman Benjamin thanked Mayor Evans and everyone else who had a part in the University of Alabama's Students' visit to the City of Selma.

RECREATION COMMITTEE - Councilwoman Monica Newton, Chairman

No Report.

ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman

No Report.

PUBLIC SAFETY COMMITTEE - Councilman Samuel Randolph, Chairman

President Allen stated Councilman Randolph is not present, but that Councilwoman Keith has given a date for the Committee's Meeting.

COMMUNITY DEVELOPMENT COMMITTEE - Councilman Cecil Williamson, Chairperson

No Report.

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

No Report.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

No Report.

SELMA-DALLAS YOUTH AMBASSADORS - Councilman Corey Bowie, Chairperson

No Report.

DISCRETIONARY COMMITTEE - President Geraldine Allen, Chairperson

President Allen reported on the following:

Brown Bag Program, \$850.00; Donated by President Allen, Councilwoman Keith, Councilwoman Newton, Councilwoman Benjamin, Councilman Tucker, and Councilman Bowie.

Perry Varner Educational Treatment Facility, \$1,000.00; Donated by President Allen, Councilman Williamson, Councilwoman Keith, Councilwoman Newton, Councilwoman Benjamin, Councilman Tucker, and Councilman Bowie.

Macedonia Community Development, \$575.00; Donated by President Allen, Councilman Williamson, Councilwoman Keith, Councilwoman Newton, Councilwoman Benjamin, Councilman Tucker, and Councilman Bowie.

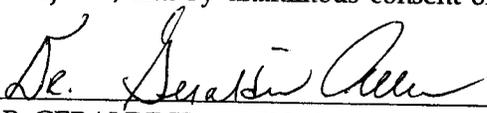
Alabama Teen Challenge, Selma, \$800.00; Donated by President Allen, Councilman Williamson, Councilwoman Keith, Councilwoman Newton, Councilwoman Benjamin, Councilman Tucker, and Councilman Bowie.

Selma Christian Ministries, \$850.00; Donated by President Allen, Councilman Williamson, Councilwoman Keith, Councilwoman Newton, Councilwoman Benjamin, Councilman Tucker, and Councilman Bowie.

**CLOSING REMARKS BY EACH COUNCIL MEMBER.**

**ADJOURNMENT**

There being no further business to come before the Council, a motion was made by Councilman Bowie, and seconded by Councilwoman Keith, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 9:19 p.m.

  
DR. GERALDINE ALLEN, *Council President*

ATTEST:

  
IVY S. HARRISON, *City Clerk*

APPROVED:

  
GEORGE PATRICK EVANS, *Mayor*