

**MINUTES OF THE SPECIAL CALLED
SELMA CITY COUNCIL
JUNE 20, 2012
5:00 P.M.**

Call to Order

Invocation: Councilman Thomas Atchison,
Ward 1

ROLL CALL

The Selma City Council met in a Special Called Session in the Council Chambers of City Hall on Wednesday, June 20, 2012, at 5:00 p.m., with the following Council Members present during roll call: Council President Dr. Cecil Williamson and Council Members: Thomas Atchison, Susan Keith, Greg J. Bjelke, Angela Benjamin, Benny L. Tucker, and Corey Bowie. Others present were City Clerk Ivy S. Harrison and City Attorney Jimmy Nunn. Councilwoman Bennie R. Crenshaw was absent during roll call, but arrived at 5:05 p.m. Councilman Samuel Randolph was absent from the Special Called Meeting.

President Williamson stated the purpose of this Special Called Meeting is: Hearing to Consider the Chief of Police's Recommendation to Revoke the Business License of the Entourage Lounge; For the City Council to Discuss, Take Action, and Vote to Determine Whether or Not to Revoke the Business License of the Entourage Lounge; and To Take Action on the ABC Alcoholic Beverage License Application of Red Cross.

I. HEARING TO CONSIDER THE CHIEF OF POLICE'S RECOMMENDATION TO REVOKE THE BUSINESS LICENSE OF CLUB ENTOURAGE; MR. CLYDE RICHARDSON, OWNER.

Attorney Nunn addressed the Council, and stated we scheduled a Hearing today for the Council on the Statements based on the Chief's recommendation as to whether the Business License for Entourage Lounge, aka, Club Entourage, located at 1212 Alabama Avenue should be Revoked. Attorney Nunn stated during our last Council Meeting on June 12th, we went into Executive Session. Attorney Nunn stated that we heard statements from the Chief of Police concerning this Establishment. Attorney Nunn stated that the Hearing today is to determine whether or not the Establishment has been or is currently operating their Business in an illegal manner, or in such a manner as to be detrimental to the public, health, safety and welfare of the City of Selma, and the Citizens. Attorney Nunn stated to the Council that they scheduled the Hearing on today for 5:00 p.m., and that notification was given to Mr. Clyde Richardson during the last Council Meeting, following Executive Session, and also we sent Two (2) Certified Letters to his place of Business, and to his Home. Attorney Nunn stated that One (1) Certified Letter was also delivered to him at his Establishment. Attorney Nunn stated that we are also here under the Ordinance, #O109-03/04, Section 16-29.1, and Ordinance #102-11/12. Attorney Nunn further stated that we are recording these Proceedings for the benefit of any type of appeal and/or for the record. Attorney Nunn stated should any person be found to be operating up under Section 16-29.1, any business, trade or profession in a manner that is illegal, or that constitutes a nuisance, or goes against the public health, safety and welfare of the Citizens of Selma, then their license should be Revoked, upon the City Council finding that there is cause to Revoke said license, and said license shall be Revoked for a period of One (1) year. Attorney Nunn asked the Council if there was anything to be stated from the Council or from Mr. Clyde Richardson and/or his Attorney, Mr. DeBardelaben (1505 Madison Avenue, Montgomery, Alabama) before we get started with the Hearing? Attorney Nunn stated procedurally, we will allow the City's Witnesses to present all of their facts and evidence to the Council. Attorney Nunn stated to Mr. Richardson that he will be allowed to get copies of any documents that are being presented to the Council, and also have the opportunity to ask questions along with the Council, as it relates to any and all Witnesses that will be here making presentations today. Attorney Nunn further stated after they present everything to the Council, they will be able to present their Witnesses, along with any and all evidence to the Council or they may rebut any of the charges that are being brought against him concerning the Revocation. Attorney Nunn stated let's be mindful that this Hearing is to the Body of the Council, and

argumentative remarks, slander or defamation, at this point and time, that this is not the Body to do that; we are addressing the Council as it relates to the recommendation from the Chief of Police. Attorney Nunn stated that we would ask that all Witnesses who are going to testify before this Body, to please stand at this point and time to be Sworn in by the President of the City Council. President Williamson performed the "Swearing In" of the Witnesses; namely, Chief of Police William Riley and Mr. Clyde Richards, Owner of Entourage Lounge, aka, Club Entourage. Attorney Nunn stated at this point and time, we will call our first Witness, Chief William Riley, Chief of Police, for the Selma Police Department. Attorney Nunn stated to Chief Riley, that we are here to hear testimony as to whether or not the Entourage Lounge, aka, Club Entourage is or has been operating their Business in an illegal manner or in such a manner as to be detrimental to public health, and safety of our Citizens. Attorney Nunn asked Chief Riley, if he was correct to say that he did make a recommendation to the Council, that the Business License of the Entourage Lounge, be Revoked? Chief Riley answered, and stated "yes". Attorney Nunn stated to Chief Riley, as this point and time, please proceed to give his testimony as to his findings surrounding the Entourage Lounge, aka, Club Entourage.

Chief Riley addressed the Council, and stated that there have been numerous incident calls for service at the Establishment of Club Entourage, located at 1212 Alabama Avenue, and that the incident calls for service by years are as follow:

2010 - 22 calls for service
2011 - 24 calls for service
2012 - 30 calls for service
The total Calls for Services are 76.

Chief Riley stated in the combined years of 2010 - 2012, the Calls for Service were for some of the following reasons:

- Fight in Progress
- Shots Fired
- Disorderly Conduct
- Person With a Gun
- Clear Crowds
- Criminal Mischief
- Suspicious Person
- Wanted or Warrant on Person

Chief Riley referred to the Attachment of Calls for Service, for additional information.

Chief Riley stated of the 76 reported Calls for Services from 2010 - 2012, 37 of them resulted in Police Reports being taken, and that those Reports filed were for some of the following reasons:

- Murder
- Assault 1st With a Gun
- Assault 2nd With a Gun
- Discharge Firearm into Occupied Building
- Contributing to the Delinquency of a Minor

Chief Riley referred the Council to the Attachment for additional Report Descriptions.

Chief Riley stated that the Incidents and Reports are of great concern to him because they involve the safety and welfare of the Patrons, Police and surrounding Businesses. Chief Riley further stated that they have a profound effect on public safety. Chief Riley stated that the Reported Incidents are as follow:

"On August 22, 2010, Police were working a Club Detail at the Club Entourage. During the Detail, Police found a Seventeen-Year-Old Black Male Teenager who had been drinking alcohol. Police separated Patrons in the Club and found a total of 9 Under-Aged Juveniles who had consumed alcohol inside the Club. All Juveniles were tested with a breathalyzer and found to have .05 or higher blood alcohol. The Club Owner, Mr. Clyde Richardson, was present during the testing. (Note: As a result of the Incident, Mr. Clyde Richardson was later charged with "Contributing to the Delinquency of a Minor".)

On April 15, 2011, at approximately 0120 hours a Victim reported that they were inside the Club Entourage when a large fight occurred. The Victim tried to break up the fight; it became uncontrollable. They stated that two of the Instigators went outside and within a short period of time several shots were fired, which resulted in the Victim's vehicle being struck.

On May 20, 2011, during the night while Club Entourage was operating, unknown Suspects fired numerous "rounds" into the Club and surrounding areas. As a result of the gunfire, one Person was shot and property damage was done to the Club and several vehicles parked in front of the Club. Police recovered 21 spent casings from the scene.

On February 17, 2012 at 0230 hours, police were dispatched to the Club Entourage in reference to a disturbance. Upon Officers' arrival, they found a group of Black Males engaged in an altercation. The Officers made attempts to break up the altercation and one Suspect pulled away from the Officer and threw a punch at him. The Suspect was then sprayed with "OC" and taken into custody. The disturbance continued as one Suspect refused to leave and threatened Officers by saying he was going to get his "strap" (street name for gun). The Suspect was arrested.

On June 1, 2012, at approximately 0130 hours Police responded to Club Entourage in reference to a shooting. Upon Police arrival, they learned that several Individuals had been shot by unknown Suspects. One Victim indicated that a fight had started in the Club and the Suspects were escorted out of the Club. Shortly afterwards, the Suspects returned to the Club and started shooting inside the Club. As a result of the shooting, Six (6) People were shot overall. Two (2) of the Six (6) are listed as Suspects. The Two Suspects were shot by an armed Security Person working for the Club. (Note: During the investigation of the June 1st shooting, Investigators found several marijuana "roach" cigarettes that had been smoked and left on tables and on the floor, inside Club Entourage. Also, as you entered the Club during the night of June 1st, you were "hit" by the odor and smell of marijuana in the "air" of the Club.

Even with the latest incident on June 1st, where the armed Security Personnel clearly ended the armed threat inside the Club, the totality of Incidents at Club Entourage are of great concern to him. The Incidents present an ongoing present danger to the Public, Patrons, other Businesses, Law Enforcement and the General Welfare of the City of Selma. Therefore, it is his request that Club Entourage, ABC (Alcohol & Beverage) Business License be Revoked. Once the Business License is Revoked, the Club can no longer operate inside the City Limits of Selma."

During Chief of Police Riley's Statement, the Hearing proceeded. Witnesses were Chief of Police Riley and Mr. Clyde Richardson, Owner of Entourage Lounge, aka, Club Entourage. Presentations of Testimony were done by Chief of Police William T. Riley, and the Club Owner, Mr. Clyde Richardson. During the Hearing, discussion was held, along with questions by City Attorney Jimmy Nunn and Mr. Richardson's Attorney, Mr. DeBardelaben, to said Witnesses. Both City Attorney Nunn, as well as, Attorney Debardelaben made Rebuttals of Testimony.

II. FOR CITY COUNCIL TO DISCUSS, TAKE ACTION, VOTE TO DETERMINE WHETHER OR NOT TO REVOKE THE BUSINESS LICENSE OF THE ENTOURAGE LOUNGE - RESOLUTION #R186-11/12 - A RESOLUTION TO REVOKE THE BUSINESS LICENSE FOR "ENTOURAGE LOUNGE", PURSUANT TO SECTION 16-29 OF THE SELMA CODE OF ORDINANCES.

Following the Hearing to Consider Chief of Police William Riley's Recommendation to Revoke the Business License of the Entourage Lounge, aka, Club Entourage, President Williamson asked Attorney Nunn to give a copy of Resolution #R186-11/12, A Resolution to Revoke the Business License for "Entourage Lounge", Pursuant to Section 16-29 of the Selma Code of Ordinances, to Attorney Debardelaben and Mr. Richardson, and also asked Attorney Nunn to read said Resolution #R186-11/12, in its entirety. President Williamson stated to Council that that is the Resolution that has been prepared, and asked if there was a motion to take action? President Williamson stated that he knows that this is an Election Year and People do not want to make tough decision, but that we called this Meeting to vote on this. President Williamson stated that he is going to relieve them of this, and made a motion, which was seconded by Councilman Atchison, to approve Resolution #R186-11/12, A Resolution to Revoke the Business License for "Entourage Lounge", Pursuant to Section 16-29 of the Selma Code of Ordinances. During discussion, Councilwoman Benjamin stated, for the record, that she does not do anything because of an Election Year; that she knows that they are here to vote, but that she is going to look at what is supposed to be looked at. Councilwoman Keith stated that when there are shootings in Clubs they will be closed down if she has anything to do with it; that it is a risky business, but, whenever it rises to the level where lives are in jeopardy, and especially when lives have been taken, that it is going to be her vote that they be closed. Councilwoman Keith further stated that she is making this statement also for the benefit of other Club Owners. Councilwoman Keith stated to Mr. Clyde Richardson that she knows that he has been in that business for a long time, but she hopes that there is a time when he can come back to it, but that she does not know how it is going to go tonight with other People. Councilwoman Crenshaw stated that she does not think that politics should have entered it, and that she does not go along with the "deaths", but she thinks there needs to be a collaboration in this City to help this entertainment that they are talking about. Councilwoman Crenshaw further stated that she thinks that they need to close them all, because what they're doing is, they're waiting until somebody dies, and then they make a decision about what should have happened, or needs to be done; there needs to be a collaboration with the Police Department and these Club Owners. Councilwoman Crenshaw stated that she is going to vote the way she is going to vote, and it has nothing to do with politics, but she feels there is a responsibility on both sides. Councilman Tucker stated that he would just like to say to Mr. Richardson, whom he considers as a Friend, that something must be done; that he knows how the Families feel on both sides of the "fence" here today, and he would like to see in the near future before any Club Owner will receive a License that they would have a Public Hearing, and everyone would come and vote on whether or not that person should receive a License, and that he would like to see an Ordinance to that; but, tonight by the Almighty

Power of God, he is just going to have to vote "yes" in this order to close it. Councilman Bowie stated that he concurs with Councilwoman Crenshaw, that they need to be more "proactive", and that he had heard a lot of information on tonight, but he hopes in the near future they can go back and revise that Ordinance that they currently have, to also include cameras. Councilman Bowie stated to Mr. Richardson that he did make a good point during the Hearing about cameras, but safety is paramount, and in order for them to move downtown forward, they are going to have to take some preventative measurements to make People feel safe. Councilman Bowie stated that Councilwoman Crenshaw did make a good point and, further stated to Councilman Tucker that during his tenure here, they did try to come together to put together a proactive plan, and it really hurts his heart because the majority of the Clubs that they have closed are in Ward 8. Councilman Bowie further stated that they have to have an entertainment life also in order to make Water Avenue flourish but they have to not only put demands, but follow-up and work together. Following discussion, a roll call vote was taken on whether to Revoke the Business License of the Entourage Lounge, namely; Resolution #R186-11/12, and the motion passed with a majority vote of the Council Members present. There were six affirmative votes and two abstentions. Councilman Bowie and Councilwoman Crenshaw abstained from voting. During roll call, Councilwoman Crenshaw stated, for the record, "I seek to say that closing them all until we get a collaboration between the Police Department and Club Owners so that the safety of People will be looked out for; right now it is not going to be that, that there are guns everywhere and this is not going to stop it by closing this one. I abstain."

III. ALCOHOLIC BEVERAGE LICENSE APPLICATION OF RED CROSS.

Attorney Nunn stated to Council that the Item of an Alcoholic Beverage License Application of the Red Cross for the Mayor's Charity Ball, was brought to the City Clerk's Office by the Applicant, Ms. Jackie Phillips, but unknown to her, the Council Meeting had already passed. Attorney Nunn further stated that he had asked Ms. Sykes to Poll the Council Members and they were in approval of it, and that we are now asking the Council to Ratify, Affirm and Approve the Alcoholic Beverage License Application of the Red Cross for the Mayor's Charity Ball on tomorrow, Thursday, June 21st. A motion was made by Councilwoman Benjamin, and seconded by Councilwoman Keith, to approve the Alcoholic Beverage License Application of the Red Cross for the Mayor's Charity Ball on tomorrow, Thursday, June 21st. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Keith, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 7:31 p.m.



DR. CECIL WILLIAMSON, *Council President*

ATTEST:



IVY S. HARRISON, *City Clerk*

APPROVED:



GEORGE PATRICK EVANS, *Mayor*