

The Council of the City of Bessemer, Alabama met in regular session in the Council's Chamber at the City Hall in said City on Tuesday, December 4, 2018 at 7:22 p.m. Central Time. The meeting was called to order by Council President Jesse Matthews who was Chairman of the meeting. Upon roll call, the following Council members were found to be present: Councilors Kimberly Alexander, Jarvis Collier, Latricia Crusoe, Ron Marshall, Donna Thigpen, Cynthia Donald and Jesse Matthews Absent: None. City Clerk Wanda D. Taylor stated that a quorum was present and the meeting was opened for the transaction of business.

Mr. John Dedrick opened the meeting with prayer and everyone recited the pledge of allegiance.

Mayor Gulley stated that the 41st President of the United States George H. W. Bush passed away on Friday, November 30th, 2018 in Houston, Texas. Mayor Gulley stated that at the request of President Donald Trump the American Flag will be flown at half mast for 30 days. Mayor Gulley thanked President Bush for his military service and his life service to this country. Mayor Gulley asked everyone to pray for the Bush family.

Mayor Gulley stated that the coordinators of the Christmas Parade and the Bessemer Area Chamber of Commerce will meet on Wednesday, December 5th, 2018 to discuss the possibility of having to reschedule the Christmas Parade due to inclement weather approaching on Saturday, December 8th, 2018. Mayor Gulley stated that they are considering rescheduling the parade to Saturday, December 15th, 2018.

Mayor Gulley stated that the City of Bessemer Christmas Open House is Thursday, December 13th, 2018 from 11:00 a.m. to 2:00 p.m.

Councilor Matthews stated that Mr. Arnold Moore passed away. Councilor Matthews stated that Mr. Moore was a member of New Bethlehem Baptist. Councilor Matthews stated that Mr. Moore funeral will be Saturday, December 8th, 2018 at 11:00 a.m. Councilor Matthews asked everyone to pray for the Mr. Moore's family.

Councilor Marshall stated that Ms. Julia Jefferson funeral will be held on Saturday, December 8th, 2018 11:00 a.m. at Mt. Hebron Baptist Church.

Councilor Matthews stated that Mr. Stan Bates funeral will be held on Saturday, December 8th, 2018 12 noon at Friend Baptist Church.

Councilor Marshall made a motion to place agenda item numbers 5, 8, 9, 10, 11, 12, 13, 14, and 14A on the consent agenda. Councilor Thigpen seconded the motion and upon roll call the following votes were recorded: Ayes: Councilors Alexander, Collier, Crusoe Marshall, Thigpen, Donald and Matthews. Nays: None: The motion carried.

RESOLUTION NO. 1502-18

**A RESOLUTION AUTHORIZING PAYMENT TO
EEFS COMPANY, P.C. CIVIL AND STRUCTURAL ENGINEERS**

WHEREAS, the City of Bessemer retained the engineering services of EEFS Company, P.C., Civil and Structural Engineers, including the services of Ron Gilbert as City Engineer; and

WHEREAS, EEFS Company, P.C., has submitted invoices for services rendered in the month of September, 2018 totaling the sum of Thirty-Eight Thousand Three Hundred Eighty-One and 27/100 Dollars (\$38,381.27) herein attached as Exhibit "A", and the City Council of Bessemer, Alabama having reviewed the invoices have determined that payment is in the public interest; and

WHEREAS, EEFS Company, P.C., has submitted Invoice No. 25479 in the amount of Five Hundred Forty and 00/100 Dollars (\$540.00) for work performed on the Bessemer Storm Water job herein attached as Exhibit "B" and the City Council having reviewed the invoices has determined that payment is in the public interest; and

WHEREAS, EEFS Company, P.C., has submitted Invoice No. 25525 in the amount of Five Thousand One Hundred Fifty-Two and 40/100 Dollars (\$5,152.40) for work performed on the CDBG Projects herein attached as Exhibit "C" and the City Council having reviewed the invoices has determined that payment is in the public interest; and

WHEREAS, EEFS Company, P.C., has submitted Invoice No. 25504 in the amount of Eight Thousand Six Hundred Ninety-Nine and 06/100 Dollars (\$8,699.06) for work performed on the BP Funds – Bessemer City Council Special Projects herein attached as Exhibit "D" and the City Council having reviewed the invoices has determined that payment is in the public interest.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Bessemer, Alabama at a regularly scheduled meeting duly assembled with a quorum being present that the City Council hereby authorizes payment of the following listed invoices to EEFS Company, P.C., Civil and Structural Engineers:

- a. September 2018 Invoices
- b. Invoice No. 25479

- c. Invoice No. 25525
- d. Invoice No. 25504

This resolution shall become effective upon its due adoption as required by law.

ADOPTED this the 4th of December, 2018.

RESOLUTION NO. 1503-18

A RESOLUTION APPROPRIATING MUNICIPAL FUNDS FOR THE PURPOSE OF PURCHASING CANDY FOR THE ANNUAL CHRISTMAS PARADE IN THE CITY OF BESSEMER, ALABAMA TO BE HELD ON DECEMBER 8, 2018

WHEREAS, the City of Bessemer, Alabama is holding its annual Christmas Parade on Saturday, December 8, 2018; and

WHEREAS, the City Council of the City of Bessemer desires to authorize the purchase of candy for the annual Christmas Parade in the amount of One Thousand Five Hundred and 00/100 Dollars (\$1,500.00); and

WHEREAS, the City Council of the City of Bessemer finds and determines that the expenditure of municipal funds for the purchase of candy for the annual Christmas Parade has as its objective the promotion of the public health, safety, morals, security, prosperity, contentment and the general welfare of the community and, as such, serves a public purpose.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Bessemer, at a regularly scheduled meeting duly assembled with a quorum being present:

1. That the City Council of the City of Bessemer hereby finds and declares that the expenditure of municipal funds for the purchase of candy for the annual Christmas Parade on December 8, 2018 has as its objective the promotion of the public health, safety, morals, security, prosperity, contentment and the general welfare of the community and, as such, serves a public purpose.
2. That the City Council hereby authorizes the expenditure of municipal funds for the purchase of candy for the annual Christmas Parade in the amount of One Thousand Five Hundred and 00/100 Dollars (\$1,500.00).
3. This Resolution shall become effective immediately upon its adoption as required by law.

ADOPTED this the 4th day of December, 2018.

RESOLUTION NO. 1504-18
RESOLUTION AUTHORIZING MAYOR TO ENTER INTO A RENEWAL TO AGREEMENT BETWEEN THE CITY OF BESSEMER AND UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. D/B/A SERVICE LINE WARRANTIES OF AMERICA

WHEREAS, sewer and water line laterals between the mainlines and the connection on residential private property are owned by individual residential property owners ("Residential Property Owners"); and

WHEREAS, on April 1, 2014, the City of Bessemer (the "City") adopted Resolution No. 114-14 authorizing the Mayor of the City to enter into an agreement between the City and Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America ("SLWA") to offer Residential

Property Owners the opportunity, but not the obligation, to purchase a service line warranty ("Warranty") subject to the terms and conditions contained in the Sewer and Water Line Marketing License Agreement (the "Agreement"); and

WHEREAS, the term of the Agreement was for three (3) years from May 27, 2014 with an option to be renewed for one (1) additional year term upon the mutual agreement of the parties; and

WHEREAS, on May 16, 2017, the City adopted Resolution No. 378-17 renewing the Agreement for one (1) year; and

WHEREAS, SLWA has presented the City with a Renewal to the Agreement extending the terms of the Agreement one (1) year; and

WHEREAS, the City Council of the City of Bessemer having reviewed the Renewal to the Agreement, attached hereto as Exhibit "A", finds that the City's public interest and welfare will be served by entering into the Renewal to the Agreement with SLWA.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Bessemer, Alabama, at a regularly scheduled meeting duly assembled with a quorum being present, as follows:

1. That the City Council of the City finds that the City's public interest and welfare will be served by extending the Agreement between SLWA and the City for a one (1) year "Renewal Term" pursuant to Section 3 of the Agreement.
2. The Mayor of the City shall be and hereby is authorized to negotiate, execute and deliver to SLWA on behalf of the City an Agreement that substantially conforms to the draft of the Renewal to the Agreement attached hereto as Exhibit "A" and incorporated herein by reference.
3. The Mayor of the City shall be and hereby is authorized to negotiate and execute such documents or to take such additional actions as are necessary and appropriate to the accomplishment of the purposes of this resolution.
4. That all other terms and conditions of the Agreement shall remain in force and effect
5. That this resolution shall become effective immediately upon its adoption by the City Council of the City of Bessemer, Alabama as required by law.

ADOPTED this the 4th day of December, 2018.

RESOLUTION NO. 1505-18

A RESOLUTION APPROPRIATING MUNICIPAL FUNDS FOR THE PURPOSE OF A CHRISTMAS OPEN HOUSE
IN THE CITY OF BESSEMER, ALABAMA

WHEREAS, the Mayor of the City of Bessemer, Alabama desires to hold a Christmas Open House for the benefit of the general public at the Bessemer City Hall on Thursday, December 13, 2018; and

WHEREAS, the Mayor is requesting funds in the amount of Five Thousand and No/100 Dollars (\$5,000.00) be obtained from the fiscal year 2018-2019 General Fund Budget Line Item 001-00000-528088 to be used toward the expenditure of the Christmas Open House; and

WHEREAS, the governing body of the City of Bessemer finds and determines that the expenditure of municipal funds for the Christmas Open House has as its objective the promotion of the public health, safety, morals, security, prosperity, contentment and the general welfare of the community and, as such, serves a public purpose.

WHEREAS, the City Council of the City of Bessemer authorizes the funds for the expenditure of the Christmas Open House in the amount of Five Thousand and No/100 Dollars (\$5,000.00) be obtained from Line Item 001-00000-528088 of the fiscal year 2018-2019 General Fund Budget.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Bessemer, at a regularly scheduled meeting duly assembled with a quorum being present:

1. That the City of Bessemer, Alabama shall hold a Christmas Open House on Thursday, December 13, 2018 at the Bessemer City Hall.
2. That the governing body of the City of Bessemer hereby finds and determines that the expenditure of municipal funds for the Christmas Open House has as its objective the promotion of the public health, safety, morals, security, prosperity, contentment and the general welfare of the community and, as such, serves a public purpose.
3. The City Council hereby authorizes the expenditure of municipal funds for the Christmas Open House in the amount of Five Thousand and No/100 Dollars (\$5,000.00) to be obtained from Line Item 001-00000-528088 of the fiscal year 2018-2019 General Fund Budget.
4. This Resolution shall become effective immediately upon its adoption as required by law.

ADOPTED this the 4th day of December, 2018.

RESOLUTION NO. 1506-18

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT
AN AWARD UNDER THE DEPARTMENT OF HOMELAND SECURITY FISCAL YEAR (FY) 2017 ASSISTANCE
TO FIREFIGHTERS GRANT IN THE AMOUNT OF \$254,910.00

WHEREAS, the Bessemer Fire Department submitted an application to the U.S. Department of Homeland Security for a Fiscal Year (FY) 2017 Assistance to Firefighters Grant and was awarded said grant in the amount of \$254,910.00; and

WHEREAS, said grant award requires that the City of Bessemer contribute a cost match in the amount of \$25,490.00 of non-federal funds, or ten (10) percent of the federal contribution of \$254,910.00; and

WHEREAS, the Bessemer Fire Department placed the required cost match amount in the City's 2018-2019 General Fund Budget; and

WHEREAS, it is the desire of the Bessemer Fire Department that the City authorize and direct the Mayor to accept the Grant and authorize the payment of the cost match in the amount of \$25,490.00; and

WHEREAS, the Governing Body of the City finds and determines that authorizing and directing the Mayor to accept the grant and pay the required cost match has as its objective the promotion of the public health, safety, morals, security, prosperity, contentment and the general welfare of the community and, as such, serves a public purpose; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Bessemer, Alabama at a regularly scheduled meeting of the City Council duly assembled with a quorum being present as follows:

1. The City Council of the City hereby authorizes and directs the Mayor to accept the U.S. Department of Homeland Security Fiscal Year (FY) 2017 Assistance to Firefighters Grant in the amount of \$254,910.00 and to pay the required cost match in the amount of \$25,490.00.
2. That the City Council finds and determines that the aforementioned U.S. Department of Homeland Security Fiscal Year (FY) 2017 Assistance to Firefighters Grant in the amount of \$254,910.00 has as its objective the promotion of the public health, safety, morals, security, prosperity, contentment and the general welfare of the community and, as such, serves a public purpose.

3. That the Mayor shall be and hereby is authorized to execute such documents or to take such additional actions as are necessary and appropriate to the accomplishment of the purposes of the administration of the Grant and this resolution.

4. This Resolution shall become effective immediately upon its adoption by the City Council of the City of Bessemer, Alabama as required by law.

ADOPTED this the 4th day of December, 2018.

RESOLUTION NO.: 1507-18

A RESOLUTION AUTHORIZING THE PAYMENT
OF INVOICE FROM JACKSON HARRIS, P.C.,
FOR THE MONTH OF OCTOBER, 2018

WHEREAS, the City Council of the City of Bessemer, Alabama retained the services of Gregory L. Harris of Jackson, Harris, P.C., as attorney for the City Council at a rate stated in accordance with Resolution No. 040-15 adopted on January 20, 2015; and

WHEREAS, Attorney Gregory L. Harris has submitted an invoice for services rendered for the month of October 2018 in the amount of Five Thousand Eight Hundred Forty Seven and 50/100 (\$5,847.50.00) Dollars.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BESSEMER, ALABAMA, at a regular meeting duly assembled, a quorum being present, that the City Council of the City of Bessemer hereby approves and authorized the payment of the sum of Five Thousand Eight Hundred Forty Seven and 50/100 (\$5,847.50.00) Dollars to Jackson Harris, P.C., in accordance with the attached invoice.

ADOPTED this the 4th, day of December, 2018.

RESOLUTION NO.: 1508-18

A RESOLUTION AUTHORIZING THE PAYMENT
OF INVOICE FROM JACKSON HARRIS, P.C.,
FOR THE MONTH OF NOVEMBER, 2018

WHEREAS, the City Council of the City of Bessemer, Alabama retained the services of Gregory L. Harris of Jackson, Harris, P.C., as attorney for the City Council at a rate stated in accordance with Resolution No. 040-15 adopted on January 20, 2015; and

WHEREAS, Attorney Gregory L. Harris has submitted an invoice for services rendered for the month of November 2018 in the amount of Five Thousand One Hundred Sixty Five and 50/100 (\$5,165.00) Dollars.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BESSEMER, ALABAMA, at a regular meeting duly assembled, a quorum being present, that the City Council of the City of Bessemer hereby approves and authorized the payment of the sum of Five Thousand One Hundred Sixty Five and NO/100 (\$5,165.00) Dollars to Jackson Harris, P.C., in accordance with the attached invoice.

ADOPTED this the 4th, day of December, 2018.

RESOLUTION NO.: 1509-18

A RESOLUTION AUTHORIZING THE JEFFERSON COUNTY DEMOCRATIC COMMITTEE USE OF THE MULTI-PURPOSEROOM IN THE BESSEMER CITY HALL ON DECEMBER 6, 2018 TO HOST A MONTHLY MEETING AND TOWN HALL; AND DECLARING A PUBLIC PURPOSE

WHEREAS the Jefferson County Democratic Committee which is composed of representatives from the City of Bessemer, Alabama and surrounding cities and towns in Jefferson County, Alabama, desires use of the Bessemer Auditorium, without charge, to host and conduct its monthly meeting and town hall on December 6, 2018;

WHEREAS, the monthly meeting and town hall allows citizens an opportunity to share their concerns with members of the Committee and, likewise, for members of the Committee to share information with and answer questions from residents within Jefferson County;

WHEREAS, the governing body finds and determines that permitting the use of the Bessemer Civic Center by members of the Jefferson County Democratic Committee to allow citizens an opportunity to share their concerns with members of the Committee and, likewise, for Committee members to share information with and answer questions from residents within the territory of the Committee has as its objective the promotion of the public health, safety, morals, security, prosperity, contentment and the general welfare of the community and, as such, serves a public purpose.

WHEREAS, the governing body of the City of Bessemer, Alabama desires to permit use of the Bessemer Auditorium for the purposes herein, without charge.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BESSEMER, ALABAMA, AS FOLLOWS:

1. That the City Council of the City of Bessemer, Alabama hereby authorizes the Jefferson County Democratic Committee the use of the Bessemer Auditorium, without charge, to conduct its monthly meeting and Town Hall on December 6, 2018 to allow citizens an opportunity to share their concerns with members of said Committee and, likewise, for members of the Committee to share information with and answer questions from residents within the area of the Jefferson County, Alabama.

2. This Resolution shall become effective immediately upon its adoption as required by law.

ADOPTED this the 4th, day of December, 2018.

Councilor Thigpen stated that Norman Ray, former superintendent of the Streets and Sanitation passed away on Monday, December 3rd, 2018 and his service will be on

Wednesday, December 5th, 2018 at 2:00 p.m., visitation at 1:00 p.m. at Brown Services.

Councilor Crusoe commended the Mayor and city council for the tree lighting ceremony. Councilor Crusoe stated that the Christmas tree is beautiful and nice gifts were given away. Councilor Crusoe stated that the ceremony spoke volumes for the city of Bessemer and she wants to commend everyone who plays a part.

Councilor Crusoe stated that she received calls about not having enough street lights in her district and she wants to know if there's an ordinance specifying how far apart the lights should be. Councilor Crusoe stated that the last time she asked she was told that they should be 300 yards apart and she wanted to make sure that this was correct.

Bessemer Utilities Director Jerry Yarbrough stated that there's an ordinance in place stating that the lights should be 200 to 300 feet apart.

Councilor Donald asks Mr. Yarbrough for a status of bird wire on a pole on 24th Street and Exeter Avenue.

Mr. Yarbrough stated that Bessemer Utilities will not be doing any work at this location and they have all the poles that they need already out. Mr. Yarbrough stated that he spoken to the customer before and if needed he will speak to them again. Mr. Yarbrough stated that he does not know what the cable company plans are and the wires that are hanging on the side of the customer's home does not belong to Bessemer Utilities.

Councilor Matthews announced citizen's participation and the following citizens appeared before the council.

Mr. John Dedrick, Greater 14th Street Missionary Baptist Church stated that his church is seeking the city's help in covering a ditch behind their church. Mr. Dedrick stated that the church owns part of the ditch and they have plans to acquire another parcel property that is part of the ditch. Mr. Dedrick stated that they were trying to get the city's assistance to fill the ditch so that they can use that land for future parking.

Mr. George Matthews of New Life Interfaith Ministries stated that he is one of the coaches of the Bessemer Tigers and they have two teams going to play in the National Championship in Fort Lauderdale Florida. Mr. Matthews asked if the city has certain rules or regulations as far as raising money for the teams. Mr. Matthews stated that they need to raise about \$7,000.00 per team. Mr. Matthews asked if they raised money for the teams are they required to turn this money over to the city of Bessemer. Mr. Matthews stated that they decided to raise money for the teams before they knew that the city of Bessemer would be providing funds for the team. Mr. Matthews stated that the teams worked hard to achieve this honor and they wanted to make sure they were able to travel to Fort Lauderdale.

Councilor Marshall made a motion to adjourn the meeting. Councilor Donald seconded the motion and it carried.

There being no further business, the meeting was adjourned.

**Wanda D. Taylor
City Clerk**