

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, September 4, 2018 at 11:00 a.m. Central Time. The meeting was called to order by Council President Pro Tem Jesse Matthews who was Chairman of the meeting. Upon roll call, the following Council members were found to be present: Councilors Cynthia Donald, Ron Marshall, Chester Porter, Donna Thigpen, Jesse Matthews and Cleophus King. Absent: Councilor David Vance. City Clerk Wanda D. Taylor stated that a quorum was present and the meeting was opened for the transaction of business.

Bessemer City School Board Member Ms. Vera Eades opened the meeting with prayer and everyone recited the pledge of allegiance.

Councilor Porter made a motion to place agenda items number 7, 8, 9, 11, 12, 13, 14 15, 16, 17 and 18A on the consent agenda. Councilor Marshall seconded the motion and upon roll call the following votes were recorded: Ayes: Councilors Donald, Marshall, Porter, Thigpen, Matthews and King. Nays: None. The motion carried.

Granted Extension

Address	Owner	Status
1. 1627 13th Street North	Shadowrock Inc	Cut by Owner

Abatements

Address	Owner	Notes
1. 718 Oak Street	Walker David Ray	Abated 09/04/2018
2. 2608 8th Avenue North	Finocchio Nick J	Abated 09/04/2018
3. 400 5th Avenue North	A Teele Projects LLC	Abated 09/04/2018
4. 1110 19th Street North	Gwinn Betty L	Abated 09/04/2018
5. 100 Ladywood Lane	Crews Katrina	Abated 09/04/2018

Weed Nuisance Report
Set Hearing
October 16, 2018

Address	Parcel ID	Owner
1. 3131 Avenue C	38-2-3-17-1	Andrews Thelma Ceola

- | | | | |
|-----|-------------------------|---------------|---|
| 2. | 3213 Avenue C | 38-2-3-14-5 | Speed Eugene (TY 07 Guardianship)
C/O Netta Ruth Speed-Womack
(Personal Representative) |
| 3. | 3212 Avenue C | 38-2-3-13-10 | Willis George Heirs of C/O Heir
Lovell Willis |
| 4. | 3220 Avenue C | 38-2-3-13-13 | Williams Hannah Perry |
| 5. | 3224 Avenue C | 38-2-3-13-14 | Humphrey Zechariah (R/S With
Deed) |
| 6. | 3230 Avenue C | 38-2-3-13-15 | Gaddis Helen B & William Jr & |
| 7. | 501 Selma Road | 30-34-1-7-28 | Hughes Emma J |
| 8. | 512 Selma Road | 30-34-1-9-30 | Hubbard Robert V (I/S) |
| 9. | 514 Selma Road | 30-34-1-9-29 | Taylor Tawana M |
| 10. | 516 Selma Road | 30-34-1-9-28 | Daugherty Associates |
| 11. | 525 Selma Road | 30-34-1-7-41 | Harrell Lillie B & Khesa I Harrell |
| 12. | 119 Houston Drive | 30-35-2-7-25 | Home Solution Partners IV REO |
| 13. | 135 Houston Drive | 30-35-2-5-1 | Greenwood Christopher (R/S) |
| 14. | 536 Brewer Drive | 30-35-2-17-96 | Warford Michael |
| 15. | 329 Lexington Boulevard | 30-34-1-6-7 | Drake Derrick (R/S) |
| 16. | 320 Lexington Blvd | 30-34-1-5-20 | Steen Joe Jr & Mary |
| 17. | 528 Charleston Drive | 30-34-1-7-13 | Vann Venethean L |
| 18. | 27 Bluebell Street | 38-21-2-1-18 | Black Michael L C/O Garcia Jorge |
| 19. | 39 Bluebell Street | 38-21-2-1-59 | Moore Dennis R |
| 20. | 47 Bluebell Street | 38-21-2-1-57 | Lewis Jeff |
| 21. | 2025 14th Street North | 38-5-3-9-9 | Brooks Jeffrey D |
| 22. | 2021 14th Street North | 38-5-3-9-10 | Lawson Fannie I |
| 23. | 2017 14th Street North | 38-5-3-9-11 | Green Antoinette M |
| 24. | 2004 14th Street North | 38-5-3-10-2 | Rogers Gregory |

RESOLUTION NUMBER 1197-18

BE IT RESOLVED, by the City of Bessemer as follows:

That the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

Multi-use trail extension and pedestrian bridge between Carolina Avenue and Arlington Avenue and an ADA ramp between Berkley Avenue and Arlington Avenue; Project# TAPAA-TA18(913); CPMS# 100068368;

Which agreement is before this Council, and that the agreement be executed in the name of the City, by the Mayor for and on its behalf and that it be attested by the City Clerk and *the* official seal of the City be affixed thereto.

BE IT FURTHER RESOLVED that upon the completion of the execution of the agreement by all parties that a copy of such agreement be kept on file by the City.

I, the undersigned qualified and acting Clerk of the City of Bessemer, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City named therein, at a regular meeting of such Council held on the 4th day of September, 2018 and that such resolution is on file in the City Clerk's Office

RESOLUTION NO.1198-18

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR ENGINEERING SERVICES WITH ENGINEERING, ENVIRONMENTAL & FORESTRY SERVICES COMPANY, PC FOR THE MULTI-USE TRAIL EXTENSION ALONG HIGHWAY 150, PHASE 3, PROJECT (TAPAA-TA18(913))

WHEREAS, the City of Bessemer, Alabama (the "City") desires to obtain certain professional engineering services to be rendered for its Multi-Use Trail Extension along Highway 150 – Phase 3 – Project No. TAPAA-TA18(913) (the "Project"); and

WHEREAS, as part of the Project, the City must engage engineering services to perform design surveys to prepare contract plans; and

WHEREAS, Engineering Environmental and Forestry Services Company, PC ("EEFS") has represented to the City that they have the academic and professional qualifications and personnel to render the necessary engineering services for the City's needs; and

WHEREAS, EEFS agrees to provide professional engineering services to the City for the Project as described in the Engineering Agreement (the "Agreement"), attached hereto as Exhibit "A".

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 Mayor is hereby authorized and directed to enter into an agreement for engineering services with Engineering Environmental and Forestry Services Company, PC for the construction of the Multi-Use Trail Extension along Highway 150 – Phase 3 – Project No. TAPAA-TA18(913), in substantial form as the agreement attached hereto as Exhibit "A" and incorporated herein by reference, for an amount not to exceed Seventy-Two Thousand Seven Hundred and 00/100 (\$72,700.00) Dollars, said agreement to be in such a form satisfactory to the Mayor and not inconsistent with the terms and conditions of the Project specifications and this resolution.
2. That the Mayor is hereby authorized and directed to take such additional actions as are necessary and appropriate to the accomplishment of the purposes of this resolution.
3. That this resolution shall become effective immediately upon its adoption as required by law.

ADOPTED this the 4th day of September, 2018.

RESOLUTION NO. 1199-18

**A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT
AN APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM**

WHEREAS, the U.S. Department of Justice, Office of Justice Programs Bureau of Justice Assistance is seeking applications for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and

WHEREAS, the Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions; and

WHEREAS, the BJA will award JAG Program funds to eligible units of local government under this FY 2018 JAG Program Local Solicitation (the "Grant"); and

WHEREAS, it is the desire of the Bessemer Police Department that the City authorize and direct the Mayor to file an application for the Grant in an amount up to Forty Thousand and 00/100 (\$40,000.00) Dollars; and

WHEREAS, the Governing Body of the City finds and determines that authorizing and directing the Mayor to submit an application for the Grant 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 submit an application for grant assistance under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2018 Local Solicitation.
2. That the City Council finds and determines that the aforementioned application for grant assistance with the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2018 Local Solicitation 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 if the Grant is awarded to the City, the Mayor shall be and hereby is authorized to accept the Grant and 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 September, 2018.

RESOLUTION NO. 1200-18

A RESOLUTION AUTHORIZING THE PAYMENT TO
COLE ENGINEERING, INC. FOR BESSEMER INTERIM
BRIDGE INSPECTIONS

WHEREAS, the City Engineer, Ron Gilbert of EEFS Company, P.C., has reviewed and approved an invoice from Cole Engineering, Inc. for one (1) interim bridge inspection for ten (10) bridges performed in June and July 2018 and one (1) initial inspection performed in May 2018, for the sum of Four Thousand Four Hundred Fifty and 00/100 Dollars (\$4,450.00) attached as Exhibit "A" and the City Council of the City of Bessemer, Alabama, having reviewed the invoice, has determined that payment to Cole Engineering, Inc. 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 and appropriates the sum of Four Thousand Four Hundred Fifty and 00/100 Dollars (\$4,450.00) to Cole Engineering, Inc.

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

ADOPTED this the 4th day of September, 2018.

RESOLUTION NO. 1201-18

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 June, 2018 totaling the sum of Thirty-Eight Thousand One Hundred Twenty-Four and 82/100 Dollars (\$38,124.82) 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. 25237 in the amount of Two Thousand Six Hundred Seventy and 00/100 Dollars (\$2,670.00) 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

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. June 2018 Invoices
- b. Invoice No. 25237

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

ADOPTED this the 4th day of September, 2018.

RESOLUTION NO. 1202-18

A RESOLUTION AWARDING CONTRACT FOR PHASE NINE – 23RD STREET NORTH PAVING PROJECT TO
THE COMPANY SUBMITTING THE LOWEST RESPONSIBLE PROPOSAL

WHEREAS, Ronald R. Gilbert, City Engineer for the City of Bessemer ("City Engineer") prepared request for proposals for the Phase Nine – 23rd Street North Paving Project in the City of Bessemer and the same having been distributed to five (5) paving contractors and the proposals of interested paving contractors having been returned to the City of Bessemer; and

WHEREAS, five requests were distributed and only (2) entities submitted proposals and after analysis of said proposals by the City Engineer, it was determined that the lowest responsible proposal for the Phase Nine – 23rd Street North Paving Project was submitted by Cottingham Contracting Company, Inc. in the amount of Twenty-Four Thousand Nine Hundred Ninety and 00/100 Dollars (\$24,990.00); and

WHEREAS, the City Engineer presented his findings to the Mayor of the City of Bessemer on August 24, 2018, and the Mayor concurred with the City Engineer that Cottingham Contracting Company, Inc. had the lowest responsible proposal and recommended that a contract for the Phase Nine – 23rd Street North Paving Project be awarded to Cottingham Contracting Company, Inc.; and

WHEREAS, acting upon the recommendation of the City Engineer and the Mayor, the City Council of the City of Bessemer, now desires to award a contract to Cottingham Contracting Company, Inc., for the lowest responsible proposal, to perform the work described in the plans and specifications for the Phase Nine – 23rd Street North Paving Project as aforesated.

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 governing body finds and determines that Cottingham Contracting Company, Inc. submitted the lowest responsible proposal for the Phase Nine – 23rd Street North Paving Project for the total sum of Twenty-Four Thousand Nine Hundred Ninety and 00/100 Dollars (\$24,990.00).
2. That a contract is hereby awarded to Cottingham Contracting Company, Inc. for the Phase Nine – 23rd Street North Paving Project for the total sum of Twenty-Four Thousand Nine Hundred Ninety and 00/100 Dollars (\$24,990.00), said contract to be in such a form satisfactory to the Mayor and not inconsistent with the terms and conditions of the bid specifications and this resolution.
3. That the Mayor of the City shall be and hereby is authorized to execute said contract and other documents or to take such additional actions as are necessary and appropriate to the accomplishment of the purposes of the contract.
4. That this resolution shall become effective immediately upon its adoption as required by law.

ADOPTED this the 4th day of September, 2018.

RESOLUTION NO. 1203-18

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A SERVICE CONTRACT AGREEMENT WITH SOUTHEASTERN TEMPERATURE CONTROLS, INC. TO MAINTAIN THE HVAC AND CONTROLS FOR THE NEW CITY HALL BUILDING

WHEREAS, the City of Bessemer, Alabama (the "City") desires to obtain services for the maintenance of the new City Hall's HVAC system (the "Project"); and

WHEREAS, Southeastern Temperature Controls, Inc. has submitted a Platinum HVAC & Controls Service Contract Agreement (the "Agreement") for the Project for the annual amount of Twenty-Four Hundred and 00/100 Dollars (\$2,400.00) payable in quarterly installments of Six Hundred and 00/100 Dollars (\$600.00); and

WHEREAS, the Governing Body of the City finds that entering the Agreement with Southeastern Temperature Controls, Inc. for the Project is in the best interest of the City.

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 Mayor is hereby authorized and directed to enter into an agreement with Southeastern Temperature Controls, Inc. for the maintenance of the new City Hall's HVAC system, in substantial form as the agreement attached hereto as Exhibit "A" and incorporated herein by reference, for the annual amount of Twenty-Four Hundred and 00/100 Dollars (\$2,400.00) payable in quarterly installments of Six Hundred and 00/100 Dollars (\$600.00), said agreement to be in such a form satisfactory to the Mayor.
2. That the Mayor is hereby authorized and directed to take such additional actions as are necessary and appropriate to the accomplishment of the purposes of this resolution.
3. That this resolution shall become effective immediately upon its adoption as required by law.

ADOPTED this the 4th day of September, 2018.

The council consented to the use of the Multi-Purpose Room to A Beautiful Beginning Child Development Center and the Jefferson County Health Department to use the City Hall Multipurpose Room without charge to host food safety and certification classes on September 18, 2018 and declaring a public Purpose.

Councilor King stated that Trina Vines wishes not to be reappointed to the Library Board.

Councilor Matthews made a motion to authorize the City Clerk to advertise for the position on the Library Board. Councilors Donald and Marshall seconded the motion and upon roll call the following votes were recorded: Ayes: Councilors Donald, Marshall, Porter, Thigpen, Matthews and King. Nays: None. The motion carried.

RESOLUTION NO. 1205-18

A RESOLUTION AUTHORIZING THE PUBLICATION OF

NOTICE TO SOLICIT RESUMES FROM QUALIFIED CITIZENS INTERESTED IN SERVING ON THE BESSEMER PUBLIC LIBRARY BOARD AND APPROVING THE USE OF MUNICIPAL FUNDS FOR THE ADVERTISING EXPENSE FOR SAID PUBLICATION

WHEREAS, due to the expiration of a term and the desire of a board member not to be reappointed, a vacancy presently exists on the Bessemer Public Library Board (hereinafter called "The Board"); and

WHEREAS, Section 18A of Ordinance No. 3455, as amended by Ordinance No. 3494, sets forth the procedure for the filling of vacancies for municipal boards; and

WHEREAS, pursuant to said Ordinance, the Governing Body of the City of Bessemer desires to authorize Wanda Taylor, City Clerk of the City of Bessemer, to place an advertisement in the following newspaper(s) of general circulation in the City of Bessemer, to-wit: *The Birmingham News*, *The Western Star* and the *Birmingham Times* for a period of two (2) weeks giving public notice to citizens of the acceptance of resumes for the appointment to fill the vacancy on The Board; and

WHEREAS, said publication will specify that the time to submit resumes will expire on October 10, 2018 at 5:00 p.m.

WHEREAS, the City Council of the City of Bessemer has determined that the expenditure of municipal funds for the advertising expense of publishing public notice for appointment to The Board 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, Alabama, at a regularly scheduled meeting duly assembled, with a quorum being present, as follows:

1. That the Governing Body of the City of Bessemer finds and determines that the expenditure of municipal funds for the advertising expense of publishing a public notice for appointment to fill the vacancy of a board member to the Bessemer Public Library Board 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 Governing Body of the City of Bessemer authorizes Wanda Taylor, City Clerk, of the City of Bessemer to place an advertisement in the following newspaper(s) of general circulation in the City of Bessemer, to-wit: *The Birmingham News*, *The Western Star* and *The Birmingham Times* for a period of two (2) weeks giving public

notice to citizens of the acceptance of resumes for the appointment to fill the vacancy, due to the expiration of term or otherwise.

3. That said advertising expense is authorized to be paid by the City of Bessemer, upon presentment of an invoice from the newspaper(s) in which the notice is placed.
4. This resolution shall become effective immediately upon its adoption as required by law.

ADOPTED this the 4th day of September, 2018

Councilor Thigpen stated that on Sunday September 9, 2018 Canaan Baptist Church on Morgan Road will celebrate their 200 Anniversary. Councilor Thigpen invited all elected officials.

Mayor Gulley thanks the citizens of Bessemer for the prayers, confidence, and votes and believing in him for the next 4 years.

Mayor Gulley stated that the Bessemer Police Department will host their annual Kids and Cops Day on September 8th, 2018 from 10:00 a.m. to 2:00 p.m. at the Recreation Center.

Mayor Gulley stated that the Bessemer Police Department will have their 911 Commemoration Program on September 11, 2018 from 10:00 a.m. to 11:00 a.m. at Debardeleben Park.

Councilor Marshall congratulates the Mayor and thanks the citizens of District 5 for his reelection. Councilor Marshall congratulates the councilors elect who will be joining the council.

Councilor Matthews congratulates Mayor Gulley, council members and school board members who won their seats and he prays for the ones who are in a runoff. Councilor Matthews stated that he is hoping the runoff is a smooth election process.

Councilor Porter thanks the citizens in District 2 for believing in him and his work and for going to the polls to vote. Councilor Porter gave hats off to the Mayor and to everyone who won their seats again. Councilor Porter thanks the Bessemer Police Department for being present at the polls because it made a big difference. Councilor Porter thanks the Mayor and Bessemer Chief of Police and he hopes they have the army out on October 9th, 2018.

Councilor Donald thanks everyone and her community spoke very well of her.

Councilor Donald stated that she looked at her numbers and she saw what they think of

her. Councilor Donald stated that they are in a runoff due to the number of people who were in the election and not because of the election results. Councilor Donald asked everyone to tell their friend's friends to go back to the polls on October 9th 2018, to vote so that they can get this over with and all of them can be sworn in and have this come to an end.

Councilor King stated that he thanks all citizens who has supported him over the last eight years especially those in District 7. Councilor King stated that he is grateful to the citizens of District 7 as well as the city of Bessemer. Councilor King stated that he congratulates Mayor Gulley on been re-elected and he reached out on election night to offer his congratulation and respect. Councilor King stated that his campaign ran a race with class, dignity and respect. Councilor King stated that his campaign did not try to belittle or tarnish anyone's reputation because he realizes that at the end of the day life goes on. Councilor King stated that his integrity speaks highly of him and that this is not the last of Cleo King. Councilor King stated he will still be serving, but on the other side. Councilor King stated that he wishes his successor Latricia Crusoe the best of luck and he will be there to assist her to meet the needs and to make sure that District 7 is represented well.

Councilor King announced citizen's participation and no citizen appeared before the council.

Councilor Marshall made a motion to recess until 12:00 noon.