

Bessemer, Alabama

January 21, 2020

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, January 21, 2020 at 10:05 a.m. Central Time. The meeting was called to order by Council President Cynthia Donald who was Chairman of the meeting. Upon roll call, the following Council members were found to be present: Councilors Kimberly Alexander, Jarvis Collier, Ron Marshall, Jesse Matthews, Donna Thigpen, Latricia Crusoe and Cynthia Donald. Absent: None. City Clerk Wanda D. Taylor stated that a quorum was present and the meeting was opened for the transaction of business.

Councilor Latricia Crusoe opened the meeting with prayer and everyone recited the pledge of allegiance.

Mayor Gulley stated that Mr. Johnny Long Sr. and family are in attendance today. Mayor Gulley stated that Mr. Long Sr. is the founding chairman of Israel Williams Scholarship Fund and has been for the past 40 years. Mayor Gulley stated that Mr. Long Sr. has given thousands of dollars to our young people, which gave them an opportunity to attend colleges all over the state and country. Mayor Gulley stated that Mr. Johnny Long Sr. is retiring after 40 years. Mayor Gulley thanks Mr. Long Sr. for the contribution he has made to the city of Bessemer and to the young people. Mayor Gulley stated that it is befitting for the Mayor's office to recognize him for his accomplishments. Mayor Gulley presented Mr. Johnny Long Sr. with a plaque that reads: Office of the Mayor Bessemer Alabama Certificate of Recognition presented to Mr. Johnny Long Sr. Founder and Chairman of the Israel Williams Scholarship Fund Incorporated for 40 years of supporting our youths helping them achieve their educational goals. Mayor Gulley thanks Mr. Long Sr. for all he has done for the youths of this city and wishes him God's speed in his retirement.

Mayor Gulley commends the Concerns Citizens of the Bessemer Cut-off for the excellent Dr. Martin Luther King Jr. celebration on Monday, January 20, 2020 at 12:00 p.m. Mayor Gulley stated that he had the opportunity to go to 2nd Avenue Beulah Baptist Church and he enjoyed the program.

Mayor Gulley invited everyone out on Monday, January 27, 2020 at 6:00 p.m. to the Bessemer Civic Center for State of the City Address. Mayor Gulley advised all of those citizens who are concerned about what is going on in their city to come out and get the information for yourself. Mayor Gulley invited all to come join us for the State of the City Address.

Councilor Donald stated that Mr. Tom Joyner dedicated 25 years to educate children and Mr. Johnny Long Sr. has dedicated 40 years. Councilor Donald stated that is to be commended. Councilor Donald stated that she can remember when her cousins Latasha and Lokia Carter received scholarships and it help with the excess that they needed to attend Lawson State College. Councilor Donald thanks Mr. Long Sr. for the years he has educated children.

Councilor Donald thanks everyone who attended the Living Legends Luncheon. Councilor Donald stated that this is their 5th year and this was the best year. Councilor Donald stated that they honored Mrs. Latasha Williams. Councilor Donald stated that Ms. Williams will not allow you to honor her for anything so they totally surprised her. Councilor Donald stated that Mrs. Williams thought she was coming to see her pastor get honored and when she came up to say a few words on behalf of the Bessemer Area Chamber of Commerce; that's when she found out she was the one being honored. Councilor Donald thanks everyone for coming out and she looks forward to seeing everyone next year.

Councilor Donald stated that they had an opportunity to attend the MLK Breakfast on Monday, January 20, 2020 held in Birmingham and they also attend the ceremony of laying a reef at the feet of Dr. Martin Luther King Jr. statue.

Councilor Donald thanks the concerned citizens for continuing carrying on Dr. Martin Luther King Jr. dream in the city of Bessemer. Councilor Donald stated that a bus loaded with children left the city of Bessemer traveling to a Museum in Montgomery.

Councilor Matthews announced that Reverend Vivian J. Ford passed away and her funeral is Wednesday, January 22, 2020 11:00 a.m. at Allen Temple Church. Councilor Matthews stated that Mrs. Ford was a strong person. Councilor Matthews stated that Mrs.

Ford's husband Mr. Will T. Ford passed away about a year ago. Councilor Matthews stated that Mrs. Ford was a very civic minded person and one year she ran for county commissioner, also she was a part of Bessemer JCDC. Councilor Matthews stated that Mrs. Ford was very supportive of Jefferson County Democratic Conference.

Councilor Matthews stated that there are still concerns about Powder Plant Road. Councilor Matthews stated that the illegal dumping has gotten to be a nuisance.

Councilor Matthews stated that he attended the Alabama League of Municipalities Municipal Workman's Comp Fund meeting on Thursday, January 16, 2020. Councilor Matthews stated that former Brewton Mayor Ted Jennings gave a great presentation. Councilor Matthews stated that on Monday, January 20, 2020 Mr. Jennings had a massive heart attack and passed away. Councilor Matthews stated that our prayers go out to his wife Susan and the rest of the Jennings family.

Councilor Matthews stated that former Bessemer employee Mr. Antonor Winston's brother Mr. Harry Winston funeral was Saturday, January 18, 2020.

Councilor Crusoe made a motion to place agenda item numbers 4, 7, 10, 14, 16, 17 and 18 on the consent agenda. Councilor Matthews seconded the motion and upon roll call the following votes were recorded: Ayes: Councilors Alexander, Collier, Marshall, Matthews, Thigpen, Crusoe and Donald. Nays: None: The motion carried.

The Council approved the minutes from December 3, 2019, December 17, 2019 and December 19, 2019 Special Called meeting. The council approved the minutes from January 7, 2020 with necessary corrections.

Abatement of Properties

	Address	Parcel ID	Owner
1.	1626 15th Street North	38 00 05 4 039 003 000	Hasty Ricky
2.	803 Hall Avenue	38 00 16 1 019 007 000	Blount Annette M
3.	105 McClain Street E	38 00 16 4 035 002 000	Johnson Julia E
4.	436 Roland Avenue	38 00 16 3 002 007 000	Searcy Mildred A (D)
5.	2119 17th Street North	38 00 05 3 001 001 000	Green Antoinette M
6.	2121 17th Street North	38 00 05 3 001 002.000	Green Antoinette M
7.	2128 17th Street North	38 00 05 3 001 004.000	Green Antoinette

RESOLUTION NO. 007-20

**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 Invoice No. 26680 for services performed in October 2019 as it directly relates to Project Blue Bird Site Development in the amount of Six Hundred Five and 00/100 Dollars (\$605.00) herein attached as Exhibit "A" and the City Council having reviewed the invoice has determined that payment is in the public interest.

WHEREAS, EEFS Company, P.C., has submitted Invoice No. 26699 for services performed in October 2019 as it directly relates to Frank House Golf Course 2019 in the amount of One Thousand One Hundred Fifty and 00/100 Dollars (\$1,150.00) herein attached as Exhibit "B" and the City Council having reviewed the invoice has determined that payment is in the public interest.

WHEREAS, EEFS Company, P.C., has submitted Invoice No. 26700 for services performed in October 2019 as it directly relates Bessemer Economic and Community Development 2019 in the amount of Nine Hundred Five and 00/100 Dollars (\$905.00) herein attached as Exhibit "C" and the City Council having reviewed the invoice has determined that payment is in the public interest.

WHEREAS, EEFS Company, P.C., has submitted Invoice No. 26703 for services performed in October 2019 as it directly relates to the McCalla Road ROW Acquisition Project in the amount of One Thousand Two Hundred Sixty and 00/100 Dollars (\$1,260.00) herein attached as Exhibit "D" and the City Council having reviewed the invoice has determined that payment is in the public interest.

WHEREAS, EEFS Company, P.C., has submitted Invoice No. 26709 for services performed in October 2019 as it directly relates to the Bessemer Fire Department Drill Tower in the amount of One Thousand Two Hundred Sixty and 00/100 Dollars (\$1,260.00) herein attached as Exhibit "E" and the City Council having reviewed the invoice has determined that payment is in the public interest.

WHEREAS, EEFS Company, P.C., has submitted Invoice No. 26712 for services performed in October 2019 as it directly relates to Bessemer Library Handrail Repairs in the amount of Five Thousand Three Hundred Forty and 00/100 Dollars (\$5,340.00) herein attached as Exhibit "F" and the City Council having reviewed the invoice has determined that payment is in the public interest.

WHEREAS, EEFS Company, P.C., has submitted Invoice No. 26737 for services performed in October 2019 as it directly relates to Bessemer Bridges 2019 in the amount of Five Thousand Five Hundred Fifty-Eight and 67/100 Dollars (\$5,558.67) herein attached as Exhibit "G" and the City Council having reviewed the invoice has determined that payment is in the public interest.

WHEREAS, EEFS Company, P.C., has submitted Invoice No. 26739 for services performed in October 2019 as it directly relates to Sidewalks on Various Streets Project Administration in the amount of Two Thousand One Hundred Eighty-Five and 00/100 Dollars (\$2,185.00) herein attached as Exhibit "H" and the City Council having reviewed the invoice 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 invoices to EEFS Company, P.C., Civil and Structural Engineers:

- a. Invoice No. 26680
- b. Invoice No. 26699
- c. Invoice No. 26700
- d. Invoice No. 26703
- e. Invoice No. 26709
- f. Invoice No. 26712
- g. Invoice No. 26737
- h. Invoice No. 26739

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

ADOPTED this the 21st day of January 2020.

Resolution No. 008-20

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
A PROFESSIONAL SERVICES AGREEMENT WITH THE ARBITRAGE GROUP, INC. TO CALCULATE THE
ARBITRAGE EARNINGS FOR THE 2013-A, 2013-B, 2013-C & 2014-D CITY OF BESSEMER BOND ISSUES**

WHEREAS, the City of Bessemer, Alabama (the "City") desires to enter into a professional services with The Arbitrage Group, Inc. ("The Group") to compute the arbitrage earnings amount for the 2013-A, 2013-B, 2013-C & 2014-D City of Bessemer Bond Issues; and

WHEREAS, the City Council of the City of Bessemer, Alabama, has determined that entering into an agreement with The Group serves a valid and sufficient public purpose in that it has for its objective the promotion of public health, safety, morals, security, prosperity, contentment, and the general welfare of the community and, as such, serves a public purpose; and

WHEREAS, the City Council of the City of Bessemer, Alabama hereby determines that it is in the City's best interest to allow the Mayor to enter into an agreement between the City of Bessemer and The Group to compute the arbitrage earnings amount for the 2013-A, 2013-B, 2013-C & 2014-D City of Bessemer Bond Issues.

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 hereby finds and determines that it is in the best interest of the City and does declare that it is a public purpose to enter into an agreement with The Group for a sum not to exceed Eight Thousand Five Hundred and 00/100 Dollars (\$8,500.00).**
- 2. That the Mayor of the City shall be and hereby is authorized to execute and deliver to The Group on behalf of the City an agreement that substantially conforms to the agreement attached hereto as Exhibit "A" and incorporated herein by reference, and to take such additional actions as are necessary and appropriate to accomplish the purposes of the agreement and this resolution.**
- 3. That this Resolution shall become effective upon its due adoption.**

ADOPTED this the 21st day of January, 2020.

RESOLUTION NO. 009-20

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER AN AGREEMENT FOR REVENUE ADMINISTRATION WITH AVENU INSIGHTS & ANALYTICS LLC

WHEREAS, the City of Bessemer collects sales, use and other taxes from those making sales at retail and/or purchasing tangible personal property for use, storage or other consumption; engaging in the business of leasing or renting tangible personal property; engaging in the renting or furnishing of rooms, lodgings, or accommodations made to transients, in the City of Bessemer, Alabama and its police jurisdiction; and

WHEREAS, the City of Bessemer, Alabama (the "City") desires to enter into a tax revenue enhancement agreement (revenue administration) with AVENU Insights & Analytics, LLC ("AVENU") to perform the services necessary to collect and administer the sales and use taxes for the City; and

WHEREAS, the proposed terms of the agreement with AVENU are set forth in a Tax Revenue Enhancement Agreement – Revenue Administration attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, the City Council of the City of Bessemer desires to authorize the Mayor to execute the attached agreement as set forth in Exhibit "A" and finds that the City's public interest and welfare will be served by entering into an agreement with AVENU.

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. The Mayor of the City shall be and hereby is authorized to execute and deliver to AVENU Insights & Analytics, LLC an agreement for administration and collection of sales/use taxes that substantially conforms to the draft of the Tax Revenue Enhancement Agreement attached hereto as Exhibit "A" and incorporated herein by reference; and
2. 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.
3. 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 21st day of January 2020.

RESOLUTION NO. 010-20

A RESOLUTION AUTHORIZING THE MAYOR TO MOVE THE CITY OF BESSEMER'S CURRENT EMPLOYEE DENTAL PLAN FROM BLUE CROSS BLUE SHIELD TO THE STANDARD INSURANCE COMPANY

WHEREAS, the City of Bessemer, Alabama (the "City") current employee dental plan is with Blue Cross Blue Shield ("BCBS"); and

WHEREAS, the City Council has determined that it is in the best interest of the City's employees to discontinue the employee dental plan with BCBS and enter into an agreement for the provision of dental insurance with Standard Insurance Company ("Standard"); and

WHEREAS, the City Council of the City of Bessemer desires to authorize the Mayor to execute the Application for Group Insurance and New Business Submission Checklist, attached hereto as Exhibit "A", and such other documentation necessary to enter into a group dental plan with Standard.

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. The Mayor of the City shall be and hereby is authorized to execute and deliver to Standard Insurance Company an application for group insurance and new business submission checklist that substantially conforms to the Application for Group Insurance and New Business Submission Checklist attached hereto as Exhibit "A" and incorporated herein by reference; and**
- 2. 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.**
- 3. 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 21st day of January 2020.

The council approved the liquor license for Q and T LLC trade name Masa Sushi and Hibachi located at 1205 Lake Drive E Ste. 11 Bessemer Al, 35022.

Councilor Donald announced a hearing for the final 30 day extension to complete repairs at 1605 Berkley Avenue and the following citizen appeared before the council.

Ms. Carol Gamby stated she was given an extension to bring the foundation of 1605 Berkley Avenue up to code and that foundation work is completed. Ms. Gamby stated that she has a letter from the construction engineer to verify that the work is done.

Councilor Crusoe made a motion to delete items 9, 11 and 19. Councilor Marshall seconded the motion and upon roll call the following votes were recorded: Ayes:

Councilors Alexander, Collier, Marshall, Matthews, Thigpen, Crusoe and Donald. Nays:

None: The motion carried.

Item 9 – Mayor’s presentation of current year general operating budget for Bessemer Utilities.

Item 11 – Resolution to advertise the city of Bessemer Boards, Committees and Authorities.

Item 19 – Resolution Requesting the Governmental Utility Services Corporation of the city of Bessemer to provide the Bessemer City Council a copy of the utility’s current year operating budget.

Councilor Donald announced a public hearing for the vacation of 34th Street South and Exeter Avenue from Dartmouth Avenue to 35th Street South, and Fairfax Avenue west of 35th Street South and the following citizen appeared before the council.

Mr. Ron Gilbert EEFS Engineer stated that this vacation was brought by the Bessemer Housing Authority. Mr. Gilbert stated that they will be working on Juanita Hill and they will be expanding that facility. Mr. Gilbert stated that this involves two areas that were restricting rights and were never dedicated to the city. Mr. Gilbert stated that the Housing Authority requested this to clean up the titles on those properties. Mr. Gilbert stated that there are packages that were given to the councilors, the mayor and the city's attorney. Mr. Gilbert stated that they contacted the utilities and the city's department heads about their input on the vacation. Mr. Gilbert stated that they had no objections except from Jefferson County Environmental Services will have an easement – they are requesting the positioning of sewer lines that are passing through the property which is very common. Mr. Gilbert stated that Alabama Power Company wants their standard easement.

Councilor Marshall made a motion to approve the resolution. Councilors Crusoe and Matthews seconded the motion and upon roll call the following votes were recorded:
Ayes: Councilors Alexander, Collier, Marshall, Matthews, Thigpen, Crusoe and Donald.
Nays: None: The motion carried.

RESOLUTION NO. 011-20

A RESOLUTION TO VACATE 34th STREET SOUTH AND EXETER AVENUE FROM DARTMOUTH AVENUE TO 35TH STREET SOUTH, AND FAIRFAX AVENUE WEST OF 35th STREET SOUTH

WHEREAS, a petition signed by the owner of all of the lands abutting 34th STREET SOUTH AND EXETER AVENUE FROM DARTMOUTH AVENUE TO 35TH STREET SOUTH, AND FAIRFAX AVENUE WEST OF 35th STREET SOUTH, situated in the City of Bessemer, County of Jefferson, State of Alabama, requests the vacation of said right-of-ways, has been duly presented to the City Council of the City of Bessemer, Alabama, for the assent and approval of said governing body, said petition with map attached being hereto affixed, marked Exhibit "A" and made a part hereof; and

WHEREAS, pursuant to Section 23-4-2 of the Code of Alabama 1975 notice of said request for vacation was published in the Western Star, a newspaper of general circulation, on December 18, 2019; December 25, 2019; January 1, 2020 and January 8, 2020 and a hearing was held on the 21st day of January, 2020; and

WHEREAS, said right-of-way is more particularly described in attached Exhibit "B" and made a part hereof; and

WHEREAS, it appears to the City Council of the City of Bessemer, Alabama, that the vacation of said right-of-way is in order and that convenient and reasonable means of ingress and egress is afforded to all other property owners owning property in the vicinity.

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 vacation of the hereinabove described right-of-way, being further described in the attached Exhibit “B”, is assented to and approved and same is hereby vacated pursuant to the provisions of Section 23-4-20 of the Alabama Code of 1975.**
- 2) That the Mayor be and hereby is authorized to present a copy of this resolution, duly certified and correct to the Clerk of the City of Bessemer and that the same may be filed and recorded in the Office of the Judge of Probate of Jefferson County, Alabama, Bessemer Division, with the legal declaration of vacation of said above and foregoing described property.**
- 3) That this resolution shall become effective upon its due adoption as required by law.**

ADOPTED this the 21st day of January, 2020.

A resolution declaring personal property belonging to the city of Bessemer surplus and authorizing the sale was brought before the council.

Councilor Marshall made a motion to approve the resolution. Councilor Thigpen seconded the motion and upon roll call the following votes were recorded: Ayes: Councilors Marshall and Thigpen. Nays: Councilors Alexander, Crusoe and Donald. Abstention: Councilors Collier and Matthews. The motion does not carry.

Councilor Crusoe stated that she received phone calls about a fatality that happened on Dartmouth Avenue. Councilor Crusoe stated that she will speak to Police Roper concerning an address in District 7 where there is drug activity and several cars coming and going. Councilor Crusoe stated that this is a nice community and there are a lot of retirees and seniors. Councilor Crusoe stated that it’s the community behind Kangaroo on Highway 150.

Councilor Matthews stated that he was sharing with the city attorney and the mayor about Alabama Policy Institute, that’s looking into the medical marijuana bill with Senate Bill 236. Councilor Matthews stated that this bill is coming up this session and this committee is called the cannabis committee. Councilor Matthews stated that the municipal and county will not have any control if this bill passes as written. Councilor Matthews stated that bill is going to create obstacles for local law enforcement. Councilor Matthews

stated that this bill is going to limit local taxing authority and its going to bind local municipal and county government from zoning rights and remove due process from protection. Councilor Matthews stated that the bill will allow taxing prescriptions at unseen rates. Councilor Matthews stated that it's going to impact local employees and small business owners and municipal liability will be impacted.

Councilor Matthews stated that Bessemer's Legislative Dinner will be at the Bright Star on Thursday, January 23, 2020 at 6:00 p.m. Councilor Matthews stated that they have had dinners in several cities in the state and all the state's legislators will be in attendance.

Councilor Matthews stated that the National League of Cities will be March 7th – 12th, 2020.

Councilor Collier suggested to the councilor that whenever they have the town hall meeting, to encourage the public to get involved with reporting crimes in their community. Councilor Collier stated that the Bessemer Police Department has a tip line that they can call in on. Councilor Collier stated the tip line number is 205-428-3541. Councilor Collier stated that the police department is doing everything they can to fight crime.

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

Councilor Crusoe made a motion of adjourn.

**Wanda Taylor
City Clerk
City of Bessemer**

Presiding Officer