

The Council of the City of Bessemer, Alabama met in regular session via video conference at the City Hall in said City on Tuesday, May 5, 2020 at 10:00 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 Donald stated that she called this special meeting so that the mayor and council may take care of certain matters and future response to the COVID-19 Pandemic and/or matters necessary to perform essential functions of the governmental body of the City of Bessemer. Councilor Donald stated that this special meeting by video is being held within the bounds of Governor Kay Ivey’s Supplemental Emergency Proclamation issued May 18, 2020 and Section 4 of Governor Kay Ivey Supplemental Emergency Proclamation issued April 2, 2020, and the governor’s Safer at Home Policy announced on May 8, 2020.

Councilor Donald stated that we 4 matters to discuss concerning Corona Virus (COVID-19) and the necessary business of the city of Bessemer.

City Clerk Wanda Taylor read the following resolution presented to the council.

RESOLUTION NO. 043-20

A RESOLUTION CONTINUING THE STATE OF EMERGENCY IN THE CITY OF BESSEMER, ALABAMA THROUGH MAY 15, 2020

WHEREAS, the President of the United States, The Governor of the State of Alabama and the Jefferson County Commission have declared a state public health emergency due to the COVID-19 Coronavirus pandemic; and

WHEREAS, on April 28, 2020, the State Health Officer issued an additional Order suspending all non-work related gatherings of ten (10) persons or more, or non-work related gatherings of any size that cannot maintain a consistent six-feet of separation to slow the spread of the pandemic to assist healthcare providers in keeping the number of those experiencing severe symptoms at a manageable level; and

WHEREAS, operations of local schools have been ordered to institute alternative methods of instruction for the remainder of the 2019-2020 school year; and

WHEREAS, the City Council of the City of Bessemer declared a state of emergency on March 16, 2020 in Resolution No. 041-20, and amended said Resolution on April 6, 2020 in Resolution No. 042-20 to protect the public health and ordered the cessation of routine operations within the City; and

WHEREAS, the recent Order issued by the State Health Officer makes it difficult to return to routine operations through May 15, 2020 at 5:00 p.m. due to the restrictions set forth therein;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Bessemer at a duly assembled video conference meeting held in accordance with Governor Kay Ivey's Proclamation of March 18, 2020, suspending portions of the Open Meetings Act, with a quorum being present as follows:

- 1. A State of Emergency continues to exist in the City of Bessemer due to the COVID-19 pandemic. Emergency conditions affecting public health and safety exist throughout the City of Bessemer warranting the exercise of emergency powers as provided by law.**
- 2. That all City of Bessemer facilities shall continue to be closed to the public through May 15, 2020 at 5:00 p.m. with the following exceptions:**
 - a. Members of the public needing to make payments of their utility bills can make payments at Bessemer Utilities drive-through window located at 1600 1st Avenue N., Bessemer, Alabama.**
 - b. Payments required through Municipal Court may be made at the payment window located at 23 15th Street N., Bessemer, Alabama.**
 - c. Persons having been diagnosed with COVID-19, who are showing symptoms of COVID-19, or who have family members who have been so diagnosed are prohibited from using the drive-through window at Bessemer Utilities or the payment window at Municipal Court.**
 - d. Parks will be open to the public between the hours of 6:00 a.m. and 6:00 p.m., provided, social distancing requirements as set forth by the State Health Officer shall be followed.**
 - e. The Frank House Municipal Golf Course will be open to the public, subject to restrictions regarding social distancing and other necessary health measures as determined by the Mayor, provided, however, that the banquet facilities shall continue to remain closed until further guidance is received from the State Health Officer.**
- 3. That the Recreation Center and the Civic Center shall continue to remain closed until further guidance is received from the State Health Officer.**
- 4. That all City of Bessemer facilities shall re-open on Monday, May 18, 2020, with the exception of the Recreation Center, the Civic Center and the banquet facilities at the Frank House Municipal Golf Course. Upon the City of Bessemer facilities re-opening, any person visiting City of Bessemer facilities shall be required to wear a face covering until further notice. A notice shall be placed on the door of each City of Bessemer facility stating that face coverings are required for visitor's entry to the premises.**

5. The Mayor will continue to determine the employees necessary to carry on the essential functions of government and the times and manner of their work operations.
6. That the City Council planning session set for Tuesday, May 12, shall be continued until 9:00 a.m. Tuesday, May 19, 2020 and the Pre-Council meeting and Council meeting shall be moved to 10:00 a.m. and 11:00 a.m., respectively, on May 19, 2020.
7. This resolution shall become effective immediately upon its adoption as required by law.

ADOPTED this the 5th day of May, 2020.

Councilor Marshall made a motion to move the resolution. 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 following resolution was presented to the council:

RESOLUTION NO. 044-20

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. 26872 for services performed in December 2019 as it directly relates to Project Blue Bird Site Development in the amount of One Thousand Two Hundred Twenty and 19/100 Dollars (\$1,220.19) 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. 26875 for services performed in December 2019 as it directly relates to USACE Valley Creek Flood Risk Management Study in the amount of Four Hundred Fifteen and 00/100 Dollars (\$415.00) 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. 26885 for services performed in December 2019 as it directly relates to Bessemer Bridges 2019 in the amount of Two Thousand Eight Hundred Eighty-Five and 48/100 Dollars (\$2,885.48) 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. 26894 for services performed in December 2019 as it directly relates to the McCalla Road ROW Acquisition Project in the amount of One Thousand One Hundred Seventy and 00/100 Dollars (\$1,170.00)

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. 26898 for services performed in December 2019 as it directly relates to the Bessemer Fire Department Drill Tower in the amount of Six Hundred Seventy-Five and 00/100 Dollars (\$675.00) 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. 26903 for services performed in December 2019 as it directly relates to the ADA Sidewalk Improvement Project in the amount of One Thousand One Hundred Ten and 00/100 Dollars (\$1,110.00) 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. 26906 for services performed in December 2019 as it directly relates to Various Streets Project Administration in the amount of One Thousand One Hundred Forty-One and 05/100 Dollars (\$1,141.05) 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. 26923 for services performed in December 2019 as it directly relates to the Carvana in the amount of Two Thousand Two Hundred Ten and 00/100 Dollars (\$2,210.00) 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. 26872
- b. Invoice No. 26875
- c. Invoice No. 26885
- d. Invoice No. 26894
- e. Invoice No. 26898
- f. Invoice No. 26903
- g. Invoice No. 26906
- h. Invoice No. 26923

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

ADOPTED this the 5th day of May 2020.

Councilor Marshall made a motion to move the resolution. 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 following resolution was presented to the council:

RESOLUTION NO. 045-20

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 invoices for services performed in January 2020 as it directly relates to the City of Bessemer in the amount of Thirty-Eight Thousand Five Hundred Twenty-One and 01/100 Dollars (\$38,521.01) 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. 26973 for services performed in January 2020 as it directly relates to USACE Valley Creek Flood Risk Management Study in the amount of Three Hundred Ninety-Five and 00/100 Dollars (\$395.00) 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. 26981 for services performed in January 2020 as it directly relates to Bessemer Bridges 2019 in the amount of Four Hundred Nine and 66/100 Dollars (\$409.66) 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. 26992 for services performed in January 2020 as it directly relates to the Bessemer Fire Department Drill Tower in the amount of Three Hundred Sixty and 00/100 Dollars (\$360.00) 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. 26993 for services performed in January 2020 as it directly relates to the Carvana in the amount of One Thousand Seven Hundred Twenty-Five and 00/100 Dollars (\$1,725.00) 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. 26998 for services performed in January 2020 as it directly relates to the 18th and 19th (3rd Avenue – 3rd Alley) ADA Sidewalk Improvement Project in the amount of Two Thousand Four Hundred Fifteen and 00/100 Dollars (\$2,415.00) 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. 27000 for services performed in January 2020 as it directly relates to Various Streets Project Administration in the amount of Two Thousand Seven Hundred Fifty-Two and 69/100 Dollars (\$2,752.69) 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. 27014 for services performed in January 2020 as it directly relates to Frank House Golf Course in the amount of Two Thousand Two Hundred Four and 56/100 Dollars (\$2,204.56) herein attached as Exhibit "H" 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. 27017 for services performed in January 2020 as it directly relates to the Multi-Use Trail Construction Project Administration in the amount of Two Thousand Two Hundred Forty-Four and 57/100 Dollars (\$2,244.57) herein attached as Exhibit "I" 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. 27018 for services performed in January 2020 as it directly relates to the Recreation Center ADA Entrance Doors in the amount of Four Hundred Eighty and 00/100 Dollars (\$480.00) herein attached as Exhibit "J" 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. 27042 for services performed in January 2020 as it directly relates to the Bessemer GIS 2020 Project in the amount of Six Thousand Six Hundred Thirty and 00/100 Dollars (\$6,630.00) herein attached as Exhibit "K" 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. January Invoices for City
- b. Invoice No. 26973
- c. Invoice No. 26981
- d. Invoice No. 26992
- e. Invoice No. 26993
- f. Invoice No. 26998
- g. Invoice No. 27000
- h. Invoice No. 27014
- i. Invoice No. 27017
- j. Invoice No. 27018
- k. Invoice No. 27042

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

ADOPTED this the 5th day of May 2020.

Councilor Matthews made a motion to move the resolution. Councilor Crusoe 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 following resolution was presented to the council:

RESOLUTION NO. 046-20

**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 invoices for services performed in February 2020 as it directly relates to the City of Bessemer in the amount of Thirty-Six Thousand Seven Hundred Seventy-One and 66/100 Dollars (\$36,771.66) 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. 27098 for services performed in February 2020 as it directly relates to the Bessemer Fire Department Drill Tower in the amount of One Thousand Eight Hundred Forty-Five and 00/100 Dollars (\$1,845.00) 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. 27102 for services performed in February 2020 as it directly relates to the 18th and 19th (3rd Avenue – 3rd Alley) ADA Sidewalk Improvement Project in the amount of Three Thousand Three Hundred Twenty and 00/100 Dollars (\$3,320.00) 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. 27104 for services performed in February 2020 as it directly relates to Various Streets Project Administration in the amount of Two Thousand Seven Hundred Forty-Two and 74/100 Dollars (\$2,742.74) 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. 27118 for services performed in February 2020 as it directly relates to the Bessemer GIS 2020 Project in the amount of Five Thousand Six Hundred Forty and 00/100 Dollars (\$5,640.00) 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. 27121 for services performed in February 2020 as it directly relates to Frank House Golf Course in the amount of Three Hundred Fifteen and 00/100 Dollars (\$315.00) 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. 27124 for services performed in February 2020 as it directly relates to the Multi-Use Trail Construction Project Administration in the amount of One Thousand Six Hundred Eighty and 00/100 Dollars (\$1,680.00) 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. 27125 for services performed in February 2020 as it directly relates to the Recreation Center ADA Entrance Doors in the amount of Two Thousand Two Hundred Twenty and 00/100 Dollars (\$2,220.00) herein attached as Exhibit "H" 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. 27138 for services performed in February 2020 as it directly relates to USACE Valley Creek Flood Risk Management Study in the amount of Two Thousand Three Hundred Forty-Five and 00/100 Dollars (\$2,345.00) herein attached as Exhibit "I" 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. February Invoices for City
- b. Invoice No. 27098
- c. Invoice No. 27102
- d. Invoice No. 27104
- e. Invoice No. 27118
- f. Invoice No. 27121
- g. Invoice No. 27124
- h. Invoice No. 27125
- i. Invoice No. 27138

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

ADOPTED this the 5th day of May 2020.

Councilor Marshall made a motion to move the resolution. 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.

Councilor Donald stated that the following items will be deleted from the agenda.

Item #5. Resolution authorizing the payment of invoice for Jackson Harris, P.C., for the month of December, 2019.

Item #6. Resolution authorizing the payment of invoice for Jackson Harris, P.C., for the month of January 2020.

Item #7. Resolution authorizing the payment of invoice for Jackson Harris, P.C., for the month of February 2020.

Item #8. Resolution authorizing the payment of invoice for Jackson Harris, P.C., for the month of March 2020.

Councilor Marshall made a motion to delete items 5, 6, 7 and 8 from the agenda.

Councilor Crusoe 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 following resolution was presented to the council:

RESOLUTION NO. 047-20

CARES ACT AIRPORT GRANT AGREEMENT BETWEEN THE FEDERAL AVIATION ADMINISTRATION AND BESEMER AIRPORT AUTHORITY

WHEREAS, the City of Bessemer, Alabama (the "City") acting by and through the Bessemer Airport Authority ("BAA") has submitted to The United States of America, acting through the Federal Aviation Administration ("FAA") for a grant of Federal funds to help offset a decline in revenues arising from diminished airport operations and activities as a result of COVID-19; and

WHEREAS, the City has submitted to the FAA a Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Airports Grant Application (the "Application") for a grant of Federal funds at or associated with the BAA; and

WHEREAS, the FAA has approved the Application in the amount of Sixty-Nine Thousand and 00/100 Dollars (\$69,000.00) for allowable costs incurred by the Airport as a result of COVID-19; and

WHEREAS, in accordance with the applicable provisions of the CARES Act, the representations contained in the Grant Application and compliance with the conditions therein, the FAA for and through of the United States of America offers and agrees to pay 100% percent of the allowable costs incurred as a result of and in accordance with the Grant Agreement; and

WHEREAS, after review of the Grant Agreement (the "Agreement"), attached hereto as Exhibit "A", the City Council of the City of Bessemer, Alabama has determined that entering into the Agreement with the FAA 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 City Council of the City of Bessemer, Alabama hereby authorizes and directs the Mayor to execute the Grant Agreement in substantial form as the agreement attached hereto as Exhibit "A", provided, the Bessemer Airport Authority shall pay all sponsor required costs and administer the Project in accordance with the requirements and terms of the Grant Agreement.**
- 2. That the Mayor shall be and hereby is authorized to execute such other documents or to take such additional actions as are necessary and appropriate to the accomplishment of the purposes of this resolution.**
- 3. This resolution shall become effective upon its due adoption as required by law.**

ADOPTED this the 5th day of May 2020.

Councilor Crusoe made a motion for Mayor Gulley to accept the grant. 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.

Councilor Matthews made a motion to adjourn.

**Wanda Taylor
City Clerk
City of Bessemer**

Presiding Officer