

The Council of the City of Bessemer, Alabama met in regular session via teleconference at the City Hall in said City on Tuesday, June 26, 2020 at 1:00 p.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, Ron Marshall, Jesse Matthews, Latricia Crusoe and Cynthia Donald. Absent: Councilors Jarvis Collier and Donna Thigpen. City Clerk Wanda D. Taylor stated that a quorum was present and the meeting was opened for the transaction of business.

NOTICE OF EMERGENCY MEETING

CITY COUNCIL OF THE CITY OF BESSEMER, ALABAMA

The City Council of the City of Bessemer, Alabama, hereby gives notice that it will hold an Emergency Meeting of the Council, as follows:

- TIME:** 1:00 P.M.
- DATE:** Friday, June 26, 2020
- PLACE:** **BY VIDEO CONFERENCE**
in accordance with Section III of the Governor's Supplemental Emergency Proclamation issued March 18, 2020;
And Section IV of the Governor's Supplemental Emergency Proclamation Issued April 2, 2020, and the Safer at Home Proclamation, last amended May 21, 2020.
- AGENDA:** The City Council of the City of Bessemer, Alabama, will meet in Special Session by Video Conference to consider matters limited to matters within the body's statutory authority

that are (a) necessary to respond to COVID-19; and/or (b) necessary to perform essential minimum functions of the governmental body.

Not less than 12 hours following the meeting, a summary of the meeting will be posted on the City of Bessemer's Website and the public entrance doors to City Hall.

If a more formal agenda for this meeting has not been prepared as of the posting of this notice, if and when such an agenda is prepared, it will be posted next adjacent to this notice.

The meeting was opened with a silent prayer.

Councilor Donald stated that she spoke with the mayor and also researched how Birmingham City Council were conducting their meeting and spoke with several churches about how they were having services. Councilor Donald stated that she would love for the citizens of Bessemer to have an opportunity to sit in on council meetings.

Councilor Alexander stated that because of the unrest in our country today the younger citizens are wondering how they can participate with the council meetings. Councilor Alexander stated that having a video conference so that the public and partake is a great idea and thanks Councilor Donald for bring this suggestion to the council body.

Councilor Crusoe stated that she's in agreement and it's the council due diligence to keep citizens informed. Councilor Crusoe stated that the city has aging residents who would love to attend council meetings and this is a great way for them to keep inform on what is going on the city of Bessemer.

Councilor Marshall stated that he has no opposition as to what anyone is saying; he is just wondering why this matter is urgent, when we have a council meeting coming up on July 7, 2020. Councilor Marshall stated that we should have taken time to discuss this item and hear from city of Bessemer IT Director (Mr. Rick Singleton), then made a decision.

Councilor Donna Thigpen arrived at the special call meeting at 1:14 p.m.

Councilor Thigpen stated that her concern is how will a zoom meeting be conducted and broadcast.

Councilor Donald stated that with a zoom meeting it can be broadcast. Councilor Donald stated that the council members can sit in a room (social distancing) with a microphone and/or camera. Councilor Donald stated that the council can use their laptops and add a camera. Councilor Donald stated that the citizens will be able to see and hear; and we will be in compliance with the open meeting act.

Councilor Matthews stated that he has been on a zoom meeting and there is a way to have people muted from the meeting. Councilor Matthews stated that the city of Roanoke Alabama have their zoom meeting live.

The following resolution was presented to the council.

RESOLUTION NO.: 253-20

A RESOLUTION AUTHORIZING THE EXPENDITURE OF MUNICIPAL FUNDS FOR THE ACQUISITION OF EQUIPMENT AND SERVICES TO BROADCAST THE DELIBERATIVE MEETINGS OF THE CITY COUNCIL OF THE CITY OF BESSEMER, ALABAMA TO THE GENERAL PUBLIC DURING THE COVID-19 PANDEMIC

WHEREAS, by Proclamation dated March 13, 2020, the Governor of the State of Alabama, Kay Ivey, declare the existence of a state public health emergency based on the appearance of the 2019 novel coronavirus known as COVID-19 in the State of Alabama as the result of the national epidemic and international pandemic;

WHEREAS on March 16, 2020, the Jefferson County, Alabama Health Officer, in response to a rapidly growing number of cases of COVID-19 being detected in Jefferson County, issued an order suspending certain public gatherings in Jefferson County, Alabama. The City of Bessemer, Alabama lies within Jefferson County, Alabama;

WHEREAS, the Alabama Open Meetings Act, codified at Section 36-25A-1, et seq., Code of Alabama 1975 provides in Section 36-25A-(2) that the deliberative process of governmental bodies, which includes the City Council of the City of Bessemer, Alabama, shall be open to the public during meetings as defined in Section 36-25A-2(6);

WHEREAS by Proclamation dated March 18, 2020, Alabama Governor Kay Ivey proclaimed the existence of conditions warranting implementation of additional extraordinary measures and relief during the state health emergency including finding that the government response to COVID-19 requires a careful balance between concerns for public health and safety and for the right of the public to the open conduct of government and, to that end, the Governor proclaimed that, “[n]otwithstanding any provision of the Open Meetings Act, members of a governmental body may participate in a meeting—and establish a quorum, deliberate, and take action – by means of a telephone conference” provided the governmental body complies with the requirements set forth in Article III of said Proclamation;

WHEREAS, the Proclamation of March 18, 2020 further provided that “[g]overnmental bodies conducting a meeting pursuant to this section are encouraged, to the maximum extent possible, to use communications equipment that allows members of the public to listen to, observe, or participate in the meeting”; and

WHEREAS, the governing body of the City of Bessemer, Alabama desires to authorize the purchase communications and broadcast equipment and services to allow the broadcast of its deliberations and actions to permit and allow members of the public to listen to, observe, or participate in the meetings during the COVID-19 State of Emergency.

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

- 1. The Mayor of the City of Bessemer, Alabama is hereby authorized to expend municipal funds for the acquisition of communications and broadcast equipment and services to allow the broadcast of deliberations of the City Council of the City of Bessemer, Alabama to the public to permit and allow members of the public to listen to, observe, or participate in said meetings during the COVID-19 State of Emergency.**
- 2. This resolution shall become effective immediately upon its adoption as required by law.**

ADOPTED this the 26th, day of June, 2020.

Councilor Crusoe made a motion to approval the resolution. Councilor Alexander seconded the motion and upon roll call the following votes were recorded: Ayes:

Councilors Alexander, Matthews, Crusoe and Donald. Nays: Councilors Marshall and Thigpen: The motion carried.

Councilor Alexander made a motion to adjourn.

**Wanda Taylor
City Clerk
City of Bessemer**

Presiding Officer