

**TARRANT CITY COUNCIL
MEETING CITY HALL, COUNCIL
CHAMBERS REGULAR MEETING
AUGUST 7, 2023**

AGENDA

REGULAR SESSION - 7:00PM

I. CALL TO ORDER

II. PRAYER

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. APPROVAL OF MINUTES

A. July 17, 2023- Regular Meeting

VI. COMMUNICATIONS FROM THE MAYOR

VII. COMMITTEE REPORTS

VIII. OLD BUSINESS

IX. NEW BUSINESS

A. **Resolution No. 9030** -A Resolution Authorizing the Issuance of an Invitation to Bid for the Purchase of Playground Equipment to be Placed at Brummitt Heights Park and Depot Street Park at East Boyles.

B. **Resolution No. 9031** - A Resolution Requesting Quotes for Repair of Bathrooms at Brummitt Heights Park and Directing Immediate Repair of Item at Park.

C. **Resolution No. 9032** -A Resolution To Approve A Compensation Increase for Non-Public Safety Employees.

D. **Resolution No. 9033** -A Resolution Authorizing The Issuance of an Invitation to Bid for The Paving and Patching of Certain Roads Maintained by the City of Tarrant.

E. **Resolution No. 9034** -A Resolution Authorizing the Mayor to File on Behalf of the City of Tarrant A Vehicle Loan With Peoples Bank of Alabama.

F. **Resolution No. 9035-A**~~Resolution Approving~~ and Authorizing ALDOT Project No. STPAA-NR13(909) To Replace Non-Compliant Curb Ramps Along U.S. Hwy 79.

G. **Resolution No. 9036** -A Resolution Approving of and Authorizing the Repair of the Tarrant Recreation Center Roof.

H. **Resolution No. 9037** -A Resolution Authorizing the Payment to Smitherman Law Office, LLC for Services Rendered.

X. VOUCHERS AND EXPENSES

XI. PUBLIC COMMENTS

XII. ADJOURN

CITY OF TARRANT
COUNCIL MEETING MINUTES
JULY 17, 2023
TARRANT CITY HALL

The City Council of the City of Tarrant, Alabama, met in a regularly scheduled meeting on Monday, July 17, 2023, at 7:00PM at City Hall.

Mayor Wayman A. Newton called the meeting to order at 7:03PM following the council work session that began at 6:00PM to discuss items on the agenda and other matters.

Fire Chief Patrick Bennett lead those in attendance in the invocation. Mr. Scott Evans lead those present in the pledge of allegiance.

Mayor Newton asked for a roll call. The following officials were present during the roll call:

Councilor Tracie B. Threadford
Councilor Catherine "Cathy" Anderson
Councilor Deborah "Debbie" Matthews
Councilor John T. "Tommy" Bryant
Mayor Wayman A. Newton

Councilor Veronica Bandy Freeman was absent.

A quorum was determined to be present at the meeting.

The minutes from the June 21, 2023, regularly scheduled council meeting and the minutes from the July 11, 2023, called council meeting were presented for review and approval. After review, Councilor Threadford moved to approve both the minutes from the June 21, 2023, and the July 11, 2023, meetings as presented. Councilor Anderson seconded the motion. Mayor Newton called for a roll call vote.

Yeas:

Councilor Tracie B. Threadford
Councilor Catherine "Cathy" Anderson
Councilor Deborah "Debbie" Matthews
Councilor John T. "Tommy" Bryant
Mayor Wayman A. Newton

Nays:

None

The yeas being five (5) and the nays being zero (0), the motion to approve the minutes from the June 21, 2023, and the July 11, 2023, minutes as presented was agreed to, and the minutes from the June 21, 2023, and the July 11, 2023, meetings were approved.

The Mayor communicated the following items to those in attendance.

The ribbon cutting for the United Way renovations at Franklin Park would be Saturday, August 5, 2023, from 12:00pm – 4:00pm. In advance of that, the United Way asked for assistance to do some final touches on landscaping, painting, and other small tasks. The final work day would be Friday, August 4, 2023, from 2:00pm to roughly 5:00pm. Volunteers were encouraged to bring water and gloves, if possible. Also, Mr. Chuck Johnson from the Brummitt Heights Neighborhood Association stated the neighborhood association would be hosting a back to school party at Lilly Baptist Church.

The Mayor recognized Mr. Beck and his wife and Mr. Chris Smoke for donating a bumper pool table and foosball table, respectively, to the recreation center.

Next, Chief Major and Chief Bennett recognized the following officers, firefighters, and Ms. Diala Arroyo for rendering assistance to an elderly citizen who was attacked by a pack of roving pit bulls at a local park.

- Ms. Diala Arroyo;
- Officer Shane Giles;
- Officer Chris Johnston;
- Officer _____;
- Firefighter Luke Smith of the Center Point Fire District;
- Firefighter Cody Wilcox of the Center Point Fire District;
- Firefighter Charles Johnson of TFD;
- Firefighter Josh Martin of TFD; and
- Firefighter Tyler Doyle of TFD.

The officers and firefighters were presented with a letter of commendation and certificate for their actions.

Following the presentation, Mayor recognized Mr. and Mrs. Cunningham to address the council regarding a recent situation involving their son and the completion of the incident offense report being generated and the correct charge being pursued in court. Chief Major addressed the council regarding this matter as well. The discussion continued that there may be an issue with the charge codes in E-Force.

This ended communications from the Mayor's office.

The Mayor next asked for any communications from the city councilors present. None were made.

The Mayor then called for committee reports.

No reports were made.

No old business was pending before the city council, the council next moved to consider new business on the agenda.

Mayor Newton introduced and read Resolution No. 9026, A Resolution Appointing Dr. Laverne Jane Knight to the Position of City Clerk for the City of Tarrant, Alabama. After introducing and reading the resolution, Mayor Newton moved to adopt Resolution No. 9026. Councilor Anderson seconded the motion. Councilor Matthews inquired about a potential start date. Dr. Knight indicated she could begin around the beginning of August. Then, Mayor Newton called for a vote.

Yeas:

Councilor Tracie B. Threadford
Councilor Catherine "Cathy" Anderson
Councilor Deborah "Debbie" Matthews
Councilor John T. "Tommy" Bryant
Mayor Wayman A. Newton

Nays:

None

The yeas being five (5) and the nays being zero (0), the motion to adopt Resolution No. 9026 was agreed to, and Resolution No. 9026 was adopted.

Councilor Bryant introduced and read Resolution 9027, A Resolution Approving An Agreement Between the City of Tarrant, Alabama, and Tarrant City Schools for the Placement of School Resource Officers Within Tarrant City Schools. After reading the resolution, Councilor Bryant moved to adopt Resolution 9027. Councilor Threadford seconded the motion. After some discussion regarding the need to place a SRO at Tarrant Elementary School, Mayor Newton called for a vote.

Yeas:

Councilor Tracie B. Threadford
Councilor Catherine “Cathy” Anderson
Councilor John T. “Tommy” Bryant
Mayor Wayman A. Newton

Nays:

None

Abstain:

Councilor Deborah “Debbie” Matthews

The yeas being four (4) and the nays being zero (0) with one (1) member abstaining, the motion adopt Resolution No. 9027 was agreed to, and the Resolution adopted.

Councilor Anderson introduced and read Resolution No. 9028, A Resolution Awarding Bid and Authorizing the Negotiation and Execution of a Contract to Remove and Replace the Gym Floor at the Tarrant Recreation Center. After reading the Resolution, Councilor Anderson moved to adopt Resolution No. 9028. Councilor Threadford seconded the motion. Mayor Newton called for a vote.

Yeas:

Councilor Tracie B. Threadford
Councilor Catherine “Cathy” Anderson
Councilor Deborah “Debbie” Matthews
Councilor John T. “Tommy” Bryant
Mayor Wayman A. Newton

Nays:

None

The yeas being five (5) and the nays being zero (0), the motion to adopt Resolution 9028 was agreed to, and the Resolution adopted.

Mayor Newton introduced and read Resolution 9029, A Resolution Approving The Expenditure of \$425.00 to Have “Secrets of the Zoo,” a program offered by the Birmingham Zoo, To Come to the Recreation Center and Conduct its Presentation. After introducing Resolution No. 9029, Mayor Newton moved for its adoption. Councilor Anderson seconded the motion. Mayor Newton called for a vote.

Yeas:

Councilor Tracie B. Threadford
Councilor Catherine “Cathy” Anderson
Councilor Deborah “Debbie” Matthews
Councilor John T. “Tommy” Bryant
Mayor Wayman A. Newton

Nays:

None

The yeas being five (5) and the nays being zero (0), the motion to adopt Resolution 9029 was agreed to, and the resolution approved.

The council then considered the vouchers and expenses of the city and the electric department. Councilor Threadford moved to approve the vouchers and expenses of the city and the electric

department as presented. Councilor Anderson seconded the motion. Mayor Newton then called for a roll call vote.

Yeas:

Councilor Tracie B. Threadford
Councilor Catherine "Cathy" Anderson
Councilor Deborah "Debbie" Matthews
Councilor John T. "Tommy" Bryant

Nays:

None

Not voting:

Mayor Wayman A. Newton

The yeas being four (4) and the nays being zero (0) with one (1) member not voting, the motion to approve payment of the vouchers and expenses as presented was agreed to.

Next, the City Council heard from members of the public who had signed up to speak prior to the meeting.

First, Mr. Chuck Winborn, member of the Tarrant Crime Commission, spoke regarding the crime commission's recent tour of the jail. Mr. Winborn stated the new flooring in the dispatch area was getting torn up because there were not mats commonly used with rolling chairs at the dispatchers' desks. Mr. Winborn requested those items be approved for purchase. Additionally, Mr. Winborn stated there were 2 areas within the jail itself that needed cameras for security purposes.

Second, Mr. Church Clark, of the Brummitt Heights Neighborhood Association spoke regarding street paving in the area, need for speed breakers along Waverly and Treadwell Roads, and traffic light placement at the intersection of Tarrant-Huffman and Treadwell Roads. The council reminded those in attendance that Jefferson County was responsible for maintaining Treadwell Roads and any placement of a light (caution or traffic signal) is solely the responsibility of Jefferson County. Councilor Matthews requested any speed breakers installed to be like those on Horton Avenue.

Third, Mr. Pullman spoke regarding the city manager, the on-going litigation, and the attorneys' fees being spent on defending the litigation. He also addressed the council requesting increased police presence to monitor an intersection at Enfield Street where vehicles were routinely running that stop sign.

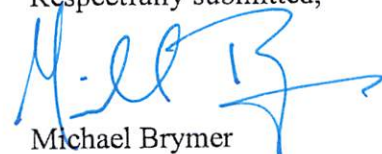
This concluded comments from the public.

Finally, Councilor Threadford stated the property at 2037 Woodrow Street be evaluated as a potential public nuisance. Additionally, she stated that speed breakers were needed on Woodrow Street along with Fulton and Alabama Streets to be evaluated as well.

There being no further business to be brought before the council, Councilor Threadford moved to adjourn the meeting. Mayor Newton seconded the motion. A voice vote was taken with all present being in favor.

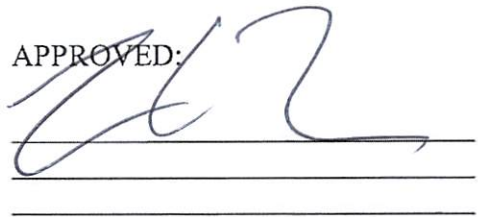
The meeting was adjourned at 8:90pm.

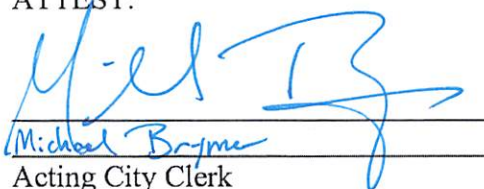
Respectfully submitted,



Michael Brymer
Acting City Clerk for the July 17, 2023, City Council Meeting

READ AND APPROVED this the 1st day of August 2023.

APPROVED: 

ATTEST:

Michael Bryner
Acting City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9030

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN INVITATION TO BID FOR THE PURCHASE OF PLAYGROUND EQUIPMENT TO BE PLACED AT BRUMMITT HEIGHTS PARK AND DEPOT STREET PARK AT EAST BOYLES.

WHEREAS, the City of Tarrant, Alabama ("City") is responsible for maintaining Brummitt Heights Park (the "Park"), a public park located within its corporate limits; and

WHEREAS, the Park's existing playground equipment has become well-worn and outdated creating a need for new playground equipment to be purchased for installation at the Park; and

WHEREAS, based on previous estimates, it is projected the costs of the playground equipment will exceed \$15,000.00 requiring the purchase of the play equipment to be let for competitive bidding as required by Title 41 of the Code of Alabama (1975); and

WHEREAS, the City Council of the City finds it in the best interest of the health, safety, and welfare of its citizens to authorize an invitation to bid to be issued for the purchase of playground equipment for use at the Park.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama while in regular session on Monday, August 7, 2023, at 7:00 p.m. as follows:

Section 1. The above-stated preamble is hereby adopted and incorporated as if fully set out herein.

Section 2. The Mayor or his designee is authorized to issue an Invitation to Bid for the purchase of playground equipment at Brummitt Heights Park and the subsequent installation of the equipment.

Section 3. Sealed bids for the must be received at Tarrant City Hall located at 1133 East Lake Boulevard, Tarrant, Alabama 35217 at a date and time to be determined and identified in the Invitation to Bid at which time the bids will be publicly opened and read aloud in the Tarrant City Hall Council Chambers.

Section 4. The City reserves the right to modify, substitute, or cancel the Invitation to Bid as well as the right to reject any or all bids, to waive any or all

irregularities, and/or informalities in any bid, and to negotiate and award a contract in any manner, consistent with law, and deemed in the best interest of the City.

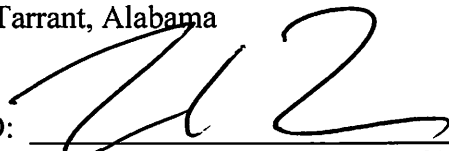
Section 5. The awarding of any bid shall occur at a subsequent meeting of the City Council and shall be conditioned upon the negotiation and execution of a contract containing the material terms of those stated in the Invitation to Bid.

Section 6. This Resolution shall become effective immediately upon its passage.

ADOPTED this the 7th day of August, 2023.

The City of Tarrant, Alabama

APPROVED:


WAYMAN NEWTON, MAYOR

ATTEST:


Dr. Laverne Knight, City Clerk



CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 7th day of August, 2023, while in regular session on Monday, August 7th, 2023, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the 7th day of August, 2023.

[SEAL]





Dr. Laverne Knight, City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9031

A RESOLUTION REQUESTING QUOTES FOR REPAIR OF BATHROOMS AT BRUMMITT HEIGHTS PARK AND DIRECTING IMMEDIATE REPAIR OF ITEM AT PARK.

WHEREAS, the City of Tarrant, Alabama, ("City") is responsible for the maintenance and upkeep of Brumitt Heights Park ("Park") a public park within the corporate limits of the City; and

WHEREAS, the bathroom facilities at the Park are non-operational or are otherwise in need of repairs (see photographs of the facilities attached as Exhibit "A"); and

WHEREAS, in addition to the bathroom facilities at the Park, there are other conditions at the Park which need to be addressed as part of the maintenance as well as to continue to make the Park safe for all citizens and visitors who may use the Park.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama, at a regular meeting, duly assembled, a quorum being present as follows:

Section 1. The above-stated preamble is hereby adopted and incorporated as if fully set out herein.

Section 2. The Mayor, or his designee, is hereby authorized to engage a plumber or other repairman or contractor for the purposes of inspecting and completing all necessary repairs to the bathrooms in order to restore the bathroom to functional status. Provided, however, that in the event the estimated costs of repair exceeds \$15,000.00 for the bathrooms, the itemized list of repairs shall be bid as required by the Competitive Bid Law codified in Title 41 of the Code of Alabama (1975), and the Council hereby authorizes the issuance of an invitation to bid should it be required based on the amount of the repairs. Alternatively, the public works department may be directed to perform the repair of the items if possible.

Section 3. Further, the City's Public Works Department shall, within five (5) calendar days of this Resolution respond to the Park and remove and hazardous conditions which may exist including those identified in Exhibit "B" to this Resolution. In the event additional time is needed to complete these items, the Director of Public Works shall be present at the next scheduled council meeting to explain the necessity for the additional time that is needed

Section 5. This Resolution shall become effective immediately upon its adoption and passage.

ADOPTED this the 7th day of August, 2023.

THE CITY OF TARRANT, ALABAMA

By: _____

Its:

ATTEST:

DR. LAVERNE KNIGHT, CITY CLERK

EXHIBIT A

Photos of Brummitt Heights Bathrooms





EXHIBIT B

Photos of Items Needing Immediate Repair in the Park



CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Dr. Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 7th day of August, 2023, while in regular session on Monday, August 7, 2023, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the ____ day of _____, 2023.

Dr. Laverne Knight, City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9032

A RESOLUTION TO APPROVE A COMPENSATION INCREASE FOR NON-PUBLIC SAFETY CITY EMPLOYEES.

WHEREAS, the employees of the City of Tarrant, Alabama, ("City") provide vital services for the citizens of the City; and

WHEREAS, on or about June 6, 2022, the City Council approved a pay increase for public safety employees; and

WHEREAS, the City Council of the City of Tarrant ("City Council") desire to reward all non-public safety employees for their dedication and work through ~~an~~ increase to their compensation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama, at a regular meeting, duly assembled, a quorwn being present as follows:

Section 1. The compensation of all municipal employees, not designated as a public safety employee shall be increased in the amount of fifteen percent (15%) beginning on August 1, 2023.

Section 2. A copy of this Resolution shall be transmitted to the Jefferson County Personnel Board with a request the Personal Board of Jefferson County acknowledged and adjust the City's employee schedule accordingly as this request is not within twelve (12) months of an applicable election which would require the Personal Board of Jefferson County's approval.

Section 3. All expenditures, as well as any necessary or required taxes, benefits, and pension contributions shall be paid from the City's General Fund.

Section 4. This resolution shall become effective immediately upon its adoption and passage.

ADOPTED this the 7th day of August, 2023.

THE CITY OF TARRANT, ALABAMA

By: _____
Its:

ATTEST:

Dr. Laverne Knight, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Dr. Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 7th day of August, 2023, while in regular session on Monday, August 7, 2023, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the ____ day of _____, 2023.

Dr. Laverne Knight, City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9033

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN INVITATION TO BID FOR THE PAVING AND PATCHING FOR CERTAIN ROADS MAINTAINED BY THE CITY OF TARRANT.

WHEREAS, the City of Tarrant, Alabama, ("City") is responsible pursuant to state statute for the maintenance of certain road ways that have been publicly dedicated for public use;

WHEREAS, certain roadways in and throughout the City are in present need for certain patching, paving and repairs; and

WHEREAS, in order for the patching, paving, and repairs to occur, the City is required pursuant to Chapter 2 of Title 39 of the Code of Alabama (1975) to seek bids for public works; and

WHEREAS, presently, the City is requesting bids for the following roads within its corporate limits and in compliance with its current paving regulations and standards:

A portion off Highland Avenue;
A portion of Tarrant Height Road;
A portion of Grove Avenue
A portion of Weatherly Avenue
A portion of Ward Avenue;
A portion of Evergreen Street;
A portion of Virginia Street
A portion of Thompson Street; and
A portion of Roseland Drive.

WHEREAS, the invitation to bid for the repair, patching, and/or paving for the roads or portions thereof shall comply incorporate the City's existing paving and roadwork specifications.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama, while in regular session on Monday, August 7, 2023, at 7:00PM as follows:

Section 1. The above stated preamble is hereby ratified as if fully set out herein.

Section 2. The Mayor or his designee is authorized to issue an Invitation to Bid in a form approved by the Mayor and the City Attorney for the repair, patching, and paving of the above-named streets. The City's paving or other street specifications shall be part of the bid. Bidders shall submit bids as an aggregate for the repair, patching, and paving of all portions the streets identified above and submit bids for the repair, patching, and paving of the portion of each street individually.

Section 3. Sealed bids must be received at Tarrant City Hall located at 1133 East Lake Boulevard, Tarrant, Alabama 35217 at a date and time to be determined and identified in the Invitation to Bid at which time the bids will be public opened and read aloud in the Tarrant City Hall Council Chambers.

Section 4. The City reserves the right to modify, substitute, or cancel the Invitation to Bid as well as the right to reject any or all bids, to waive any or all irregularities, and/or informalities in any bid, and to negotiate and award a contract in any manner, consistent with law, and deemed in the best interest of the City.

Section S. The awarding of any bid shall occur at a subsequent meeting of the City Council and shall be conditioned upon the negotiation and execution of a contract containing the material terms of the those

ADOPTED this the 7th day of August, 2023.

THE CITY OF TARRANT, ALABAMA

By: _____
Its: _____

ATTEST:

Dr. Laverne Knight, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Dr. Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 7th day of August, 2023, while in regular session on Monday, August 7, 2023, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the ____ day of August, 2023.

Dr. Laverne Knight, City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9034

A RESOLUTION AUTHORIZING THE MAYOR TO FILE ON BEHALF OF THE CITY OF TARRANT A VEIDCLE LOAN WITH PEOPLES BANK OF ALABAMA.

WHEREAS, the City of Tarrant, Alabama, ("City") on December 6, 2021, by Resolution No. 8849, authorized the Mayor to file on behalf of the City a vehicle loan through Peoples Bank of Alabama; and

WHEREAS, it has now become necessary for the loan to be renewed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama, while in regular session, a quorum duly assembled, on the 7th day of August, 2023, at 7:00PM as follows:

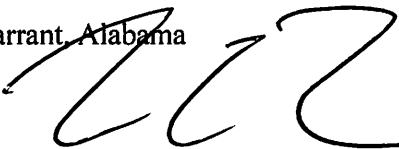
Section 1. That the Mayor is hereby authorized to file on behalf of the City of Tarrant, Alabama, for the renewal of a vehicle loan to be made through Peoples Bank of Alabama in the amount of \$148,126.74 at a fixed rate of 8.5% per annum for the purpose of previously purchased equipment, to-wit: one (1) Freightliner Chassis with a Ramer loader and one (1) John Deere Tractor with a tiger flail mower attachment.

Section 2. This Resolution shall become effective immediately upon its adoption.

ADOPTED this the 7th day of August, 2023.

The City of Tarrant, Alabama

APPROVED:


WAYMAN NEWTON, MAYOR

ATTEST:


Dr. Laverne Knight



CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)

JEFFERSON COUNTY)

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Witness my hand and seal of office this the 7th day of August, 2023.

[SEAL]





Dr. Laverne Knight, City Clerk

RESOLUTION 9035

WHEREAS, the City of Tarrant, Alabama (hereinafter at times referred to as City) is desirous of having certain improvements made within the City Limits of Tarrant, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project Number: STPAA-NR13(909) Replacement of Non-compliant Curb Ramps on State Routes.

WHEREAS, The Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, The Federal Highway Administration, an agency of the United States of America, will not participate in any funding for the construction of said project until and unless the City will agree to certain requirements of the Federal Highway Administration. The City, for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED by the Council of Tarrant, that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this City and which are now on file in the office of the City Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in accordance with said plans.

The City by and through its Council hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted.

The City hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

This project does not require the relocation or barricading of any intersecting streets.

Please refer to: Project Aerial Sheets for SR – 79 (Sheets 4 – 16)

Please refer to: Project Notes (Sheet 2)

Please refer to: Traffic Control Plan Notes (Sheet 2A)

Please refer to: Temporary Traffic Control Plan (Sheets 20 -25)

BE IT FURTHER RESOLVED by the City Council, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the City over said project, such City hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the City will not in the future permit encroachments upon the right of way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the national Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of

Transportation of the State of Alabama and by the Federal Highway Administration. The City further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the City further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

BE IT FURTHER RESOLVED by this City Council:

1. That the City agrees to perform all maintenance on crossroads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the City.
2. That the City agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the City has the option of vacating same.
3. That the City agrees to perform all maintenance on interchanges to the theoretical crossing of the denied access line.
4. That the City agrees to perform all maintenance on grade separations along the roadway to the end of the bridge, or the denied access fence, whichever the case.

It is understood and agreed that no changes in this Resolution or Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

THIS RESOLUTION PASSED, ADOPTED, AND APPROVED this the 7th day of August, 2023.

ATTEST

[Signature]
City Clerk

[Signature]
Mayor

I, the undersigned, Clerk of the City of Tarrant do hereby certify that the above and foregoing is a true and correct copy of a resolution duly and lawfully adopted by the Council of the foregoing City, at its regular meeting held on the 7th day of August, 2023, which resolution is on file in the office of the City Clerk.

Given under my hand and the official seal of such City this 7th day of August, 2023.

[Signature]
CITY CLERK



CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9036

**A RESOLUTION AUTHORIZING AND APPROVING OF THE REPAIR OF
THE TARRANT RECREATION CENTER ROOF.**

WHEREAS, the City of Tarrant, Alabama ("City") is responsible for the maintenance of the Tarrant Recreation Center ("TRC;") and

WHEREAS, significant leaks have developed in the TRC roof causing the need for immediate repair in order to prevent and forego any property damage as well as keep the patrons who use the TRC safe; and

WHEREAS, based on previous estimates provided, it is projected the costs of the playground equipment will not exceed \$50,000.00 which is under the public works bidding threshold as required by Title 39 of the Code of Alabama (1975); and

WHEREAS, the City has received one estimate for repair from Birmingham Roofing & Sheet Metal, Inc., (attached as Exhibit "A").

WHEREAS, the City Council of the City finds it in the best interest of the health, safety, and welfare of its citizens to authorize the repair of the roof as stated in Exhibit A.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama while in regular session on Monday, August 3, 2023, at 7:00 p.m. as follows:

Section 1. The above-stated preamble is hereby adopted and incorporated as if fully set out herein.

Section 2. Pursuant to the estimates obtained and a review of same by the City Council, the Mayor is hereby authorized to enter into an agreement with Birmingham Roofing & Sheet Metal Inc. to provide the materials, installation, and labor for the necessary roof repair at the TRC in according to the terms of the estimate attached as Exhibit "A."

Section 3. In accordance with the estimate, the amount of \$ 32,400.00 the TRC roof repair is hereby authorized to be paid from the City's General Fund.

Section 4. This Resolution shall become effective immediately upon its passage.

ADOPTED this the 7th day of August, 2023.

The City of Tarrant, Alabama

APPROVED: 
WAYMAN NEWTON, MAYOR

ATTEST: 
Dr. Laverne Knight, City Clerk



EXHIBIT A

ESTIMATE FROM BIRMINGHAM ROOFING & SHEET METAL, INC.

1815 Burgin Avenue • Birmingham, AL 35217
205-322-3491 • FAX 322-3980



Mr. Scott Evans
Tarrant Parks & Recreation
1232 Faye Drive
Tarrant, AL 35217

July 31, 2023

RE: Tarrant Recreation Center

Mr. Evans,
Thank you for the opportunity to inspect the existing roof and provide a proposal for the above referenced property.

Our investigation shows an existing roof construction, approximately 3,000SF, that consists of a granulated sheet torched down built-up roof system that is over an original roof. There are three vent pipe penetrations. The roof system shows signs of significant aging. The gutters and downspouts are adequate. The gutters are full of debris and need to be cleaned. An investigation of the interior shows water penetration along the clerestory at the northeast corner.

Due to the age of the existing roof system, we can propose to address the aforementioned leak on a time & material basis that would could be up to \$1,800.00 per day.

We also propose to remove and properly dispose of the existing roof system and furnish and install a 60 mil TPO roof system with R-30 rigid insulation. We will include new base flashing and counterflashing at the walls We will "sump" the insulation at the eaves with ¼" tapered insulation to facilitate positive draining. Flashing will be 24-gauge G-90 galvanized. All flashings will be installed according to manufacturer's recommendations. Existing gutters & downspouts will remain in place. We will provide a manufacturer's 20 year No Dollar Limit (NDL) warranty. Because we are certified by the manufacturer, we can perform annual inspections and maintenance for a nominal fee and increase the warranty period to 25 years. The cost of our work would be \$32,400.00.

We appreciate your consideration of our company. Birmingham Roofing & Sheet Metal, Inc. is the Magic City's preferred choice for repair and replacement of low-slope roofing and metal work since 1920. We look forward to working with you on this project.

Sincerely,

Kevin B Gaiser

Kevin B. Gaiser
Sales

Attachment: Addendum

1815 Burgin Avenue • Birmingham, AL 35217
205-322-3491 • FAX 322-3980

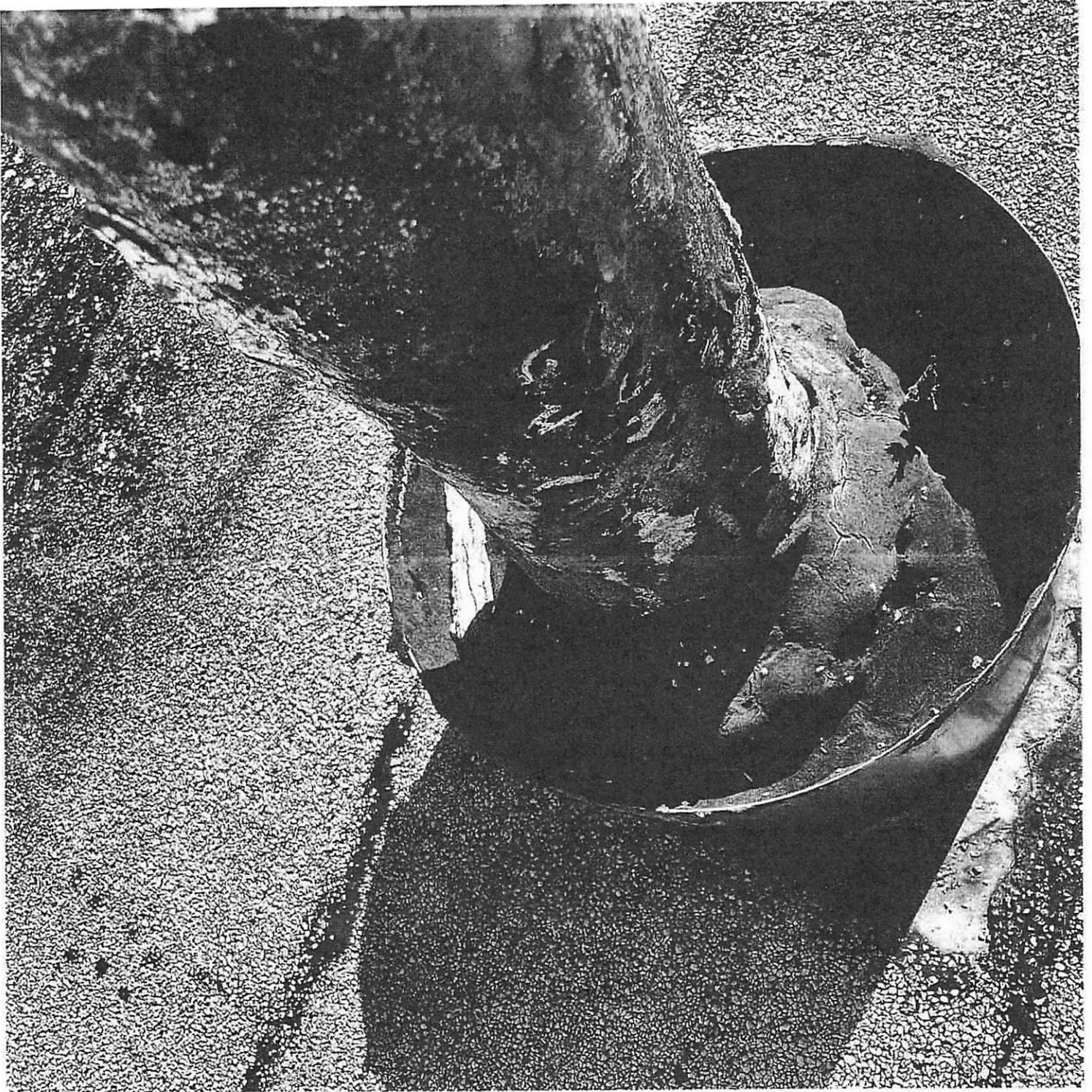


ADDENDUM

IN ORDER TO PERFORM OUR WORK, WE HAVE TO WORK AROUND MECHANICAL, ELECTRICAL, AND PLUMBING ITEMS. WE DO OUR BEST TO NOT HARM OR DISTURB ANY OF THESE ITEMS. UNLESS EXPRESSLY NOTED IN THE PROPOSAL, WE DO NOT INCLUDE MONEY TO DISCONNECT, MOVE, OR MODIFY THESE ITEMS. WE WILL NOT BE HELD RESPONSIBLE FOR ANY MECHANICAL, ELECTRICAL, OR PLUMBING ISSUES THAT ARISE DURING THE JOB UNLESS THE ISSUE IS CAUSED BY NEGLIGENCE ON OUR PART. IF NECESSARY, WE WILL REQUEST THAT YOU HIRE A MECHANICAL, ELECTRICAL, OR PLUMBING CONTRACTOR TO DISCONNECT, MOVE, OR MODIFY AN ITEM TO ALLOW US TO DO OUR WORK PROPERLY AND SAFELY. AS YOU ARE HIRING THE CONTRACTOR, THE COST WILL BE PAID BY YOU DIRECTLY. IF WE ARE NEEDED TO HIRE THE CONTRACTOR, THE COST WILL BE ADDED TO THE CONTRACT AS A CHANGE ORDER. THE CHANGE ORDER WILL INCLUDE THE CONTRACTOR'S COST PLUS A 15% MARKUP.

OUR TERMS ARE 20 DAYS FROM INVOICE DATE.













CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 7th day of August, 2023, while in regular session on Monday, August 7th, 2023, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the 7th day of August, 2023.

[SEAL]




Dr. Laverne Knight, City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9037

A RESOLUTION AUTHORIZING THE PAYMENT OF INVOICE FROM SMITHERMAN LAW OFFICE, LLC.

WHEREAS, Smitherman Law Office, LLC performed certain services related to the defense of on-going litigation which is identified in the attached invoice (Exhibit "A;") and

WHEREAS, having completed the services rendered, the invoice is now due and payable.


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama, while in regular session, a quorum duly assembled, on the 7th day of August, 2023, at 7:00PM as follows:

Section 1. That the attached invoice in the amount of \$3,262.05 for services rendered be and is hereby authorized to be paid.

Section 2. This Resolution shall become effective immediately upon its adoption.

ADOPTED this the 7th day of August, 2023.

The City of Tarrant, Alabama

APPROVED: 
WAYMAN NEWTON, MAYOR

ATTEST:


Dr. Laverne Knight, City Clerk



EXHIBIT A

INVOICE FROM SMITHERMAN LAW OFFICE, LLC

TO: CITY COUNCIL OF TARRANT CITY, ALABAMA & ATTORNEY CHARLIE
WALDREP, CITY ATTORNEY

FROM: SMITHERMAN LAW OFFICE, LLC

RE: Invoice for Services Performed
State of Alabama, ex rel. Deanna Ceasor v. John C. Brown
CV-2023-901937.00

6-15-23	Conversation with Attorney Waldrep concerning representation of John C. Brown	0.5 hours
	Strategy Conversation with attorney Wayne Morse, Jr.	1 hour
	Review Pleadings and Law	1.5 hours
6-16-23	Notice of Representation filed; meeting with Morse and Judge Green to request TRO setting. Judge told of her recusal Hours before we appeared before her.	2.5 hours
6-19-23	Review and strategize and discuss with Attorney Morse Concerning TRO	1.5 hours
6-20-23	Hearing before Judge Ballard	6 hours
7-10-23	Filed notice of deposition & Strategy meeting with Morse	1.5 hours

Total Hours 14.5

14.5 hours at a rate of \$225.00 per hour=3,262.05

Rodger M. Smitherman
Smitherman Law Office
2029 2nd Ave North
Birmingham, AL 35203

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 7th day of August, 2023, while in regular session on Monday, August 7th, 2023, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the 7th day of August, 2023.

[SEAL]





Dr. Laverne Knight, City Clerk

8-7-23

SIGN - IN SHEET

-  Robby Pridmore -

 ~~Donna Martin~~

- Karen Gordon & Amber Anderson

Jerome Jenkins

Chuck Winborn

Allen Pilkington
Will Smith

