

The Wilsonville Town Council met Monday, April 19, 2021, in the Council Chamber Room at the Wilsonville Town Hall. Mayor Ricky Morris called the meeting to order at 6:30 P. M.

The meeting was opened with prayer by Councilman Richard Atchison.

The Pledge of Allegiance to the Flag was led by Councilman Atchison.

The following council members answered roll call: Richard Atchison, Don Belcher, Lauren Kennamer, Larry Lowe, Blake Ray, Melissa Rosetta.

The minutes of the April 05, 2021, regular council meeting (mailed to the council members before this meeting) were reviewed. Larry Lowe made a motion to approve the minutes, as presented. Melissa Rosetta seconded. The motion was approved with the following vote: Richard Atchison, yes; Don Belcher, yes; Lauren Kennamer, yes; Larry Lowe, yes; Blake Ray, yes; Melissa Rosetta. Yes.

Councilwoman Mavis Cohill arrived at 6:35 P. M.

Checks were examined by the council members prior to the meeting. Blake Ray made a motion to approve the checks for mailing; Don Belcher seconded. The motion passed with the following vote: Melissa Rosetta, yes; Blake Ray, yes; Larry Lowe, yes; Lauren Kennamer, yes; Mavis Cohill, abstain; Don Belcher, yes; Richard Atchison, yes;

AT&T representative, Terri Williams, addressed the council concerning the Video Services Agreement with the Town. The Agreement expired in 2018, and AT&T asks it be renewed for another ten years. The TV Product has been transferred to the name DirecTV, LLC (the UVerse name no longer exists). There is a Resolution and an Addendum to Video Services Agreement before the council for approval.

Resolution Number 210419 was introduced to the council as follows:

RESOLUTION NUMBER 210419

WHEREAS, BellSouth Telecommunications, LLC f/k/a BellSouth Telecommunications, Inc. d/b/a AT&T Alabama (“AT&T Alabama”), a wholly-

owned subsidiary of AT&T Inc. (“AT&T”), currently is providing IP-enabled Video Service in the City of Wilsonville, Alabama (“City”) in accordance with the terms of an Agreement dated August 6, 2008, between AT&T Alabama and the City (“Video Service Agreement”); and

WHEREAS, on February 25, 2021, certain affiliates of AT&T entered an agreement with TPG VIII Merlin Investment Holdings, LLP (“TPG”) under which AT&T Alabama’s interest in the Video Service Agreement will be assigned to DIRECTV, LLC, which will become a wholly-owned subsidiary of V OpCo LLC (“New DIRECTV”), in which a wholly-owned subsidiary of AT&T will hold a 70 percent common equity interest and TPG will hold a 30 percent common equity interest; and

WHEREAS, AT&T Alabama and DIRECTV, LLC have submitted a request to the City for its consent to the aforementioned assignment (“Request for Consent”);

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City consents to and approves of the Request for Consent to the extent required by the terms of the Video Service Agreement and applicable law;
2. Effective upon the conveyance of the assignment of the Video Service Agreement, DIRECTV, LLC shall remain responsible for any obligations and liabilities of AT&T Alabama under the Video Service Agreement in accordance with its terms and applicable law; and
3. This Resolution is adopted and approved in accordance with all applicable notice and procedure requirements under all laws applicable to the City. This Resolution shall take effect upon its passage in accordance with applicable law.

This Resolution shall have the force of a continuing agreement with DIRECTV, LLC, and the City shall not amend or otherwise alter this Resolution without the consent of DIRECTV, LLC.

ADOPTED AND APPROVED THIS ____ day of _____, 2021.

By: _____ -
Title: _____ -

ATTEST:

_____ -

Title: _____ -

Larry Lowe made a motion to approve Resolution Number 210419, as presented; Melissa Rosetta seconded. The motion passed with the following vote: Richard Atchison, yes; Don Belcher, yes; Mavis Cohill, yes; Lauren Kennamer, yes; Larry Lowe, yes; Blake Ray, yes; Melissa Rosetta, yes.

The Addendum to Video Services Agreement was presented as follows:

ADDENDUM TO VIDEO SERVICES AGREEMENT

THIS AGREEMENT (“Addendum”), dated April 19, 2021 (“Effective Date”), is made by and between BellSouth Telecommunications, LLC f/k/a BellSouth Telecommunications, Inc. d/b/a AT&T Alabama (“AT&T Alabama”) and Wilsonville, Alabama (“Wilsonville”). AT&T Alabama and Wilsonville shall each sometimes be referred to separately as a “Party,” and collectively as the “Parties.”

RECITALS

WHEREAS, Wilsonville and AT&T Alabama entered into a video services agreement (“VSA”) on August 6, 2008, regarding the provision by AT&T Alabama of its integrated Internet Protocol-enabled video service; and

WHEREAS, paragraph 1 set forth the term of the VSA to expire ten (10) years after the effective date; and

WHEREAS, Wilsonville and AT&T Alabama desire to extend the terms of the VSA for an additional ten (10) years and agree that there is sufficient mutual consideration for renewing and extending the term of the VSA; and

WHEREAS, Wilsonville and AT&T Alabama desire to make one other modification to the terms of the Agreement, in addition to the ten (10) year extension, which is to update the “Notices” provision as set form herein below and agree that there is sufficient mutual consideration for updating the terms of the Agreement.

AGREEMENTS

NOW, THEREFORE, in consideration of the mutual covenants contained herein and in the VSA, and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, Wilsonville and AT&T Alabama agree as follows:

1. Paragraph 1 of the VSA is to be amended by changing the date of termination from December 31, 2018 to December 31, 2028.
2. Paragraph 14, the "Notices" paragraph of Agreement, is amended by changing the address for AT&T Alabama to the following:

AT&T Alabama
1884 Data Drive
First Floor
Hoover, AL 35244

And the address for the City of Wilsonville to the following:

Mayor
City of Wilsonville
P. O. Box 159
Wilsonville, AL 35187

3. Unless amended by the terms of this Addendum, all other terms and conditions of the VSA shall remain unchanged and in full force and effect throughout the extended term. In the event the terms or conditions of the VSA conflict with the terms of this Addendum, this Addendum shall be deemed to supersede and override the terms of the VSA.

4. This Addendum incorporates and includes all prior and contemporaneous negotiations, correspondence, conversations, agreements, and understandings between the Parties concerning the subject matter hereof. No deviation from the terms hereof shall be predicated upon any prior or contemporaneous representations, agreements, or understandings, whether oral or written.

IN WITNESS WHEREOF, the Parties hereto, by their duly authorized representatives, have executed this Addendum and made the same effective as of this 19th day of April, 2021.

(Signature Page Follows)

AT&T ALABAMA

By: _____

Name: C. Wayne Hutchens

Title: President

State of Alabama)

County of Shelby)

Sworn to and subscribed before me this ___ day of _____, 2021.

NOTARY PUBLIC

SEAL

My Commission Expires: _____

CITY OF WILSONVILLE

By: _____

Name: Ricky Morris

Title: Mayor

State of Alabama)

County of _____)

Sworn to and subscribed before me this ___ day of _____, 2021.

NOTARY PUBLIC

SEAL

My Commission Expires: _____

Larry Lowe made a motion to approve The Addendum to Video Services Agreement, as presented. Mavis Cohill seconded, and the motion passed with the following vote: Richard Atchison, yes; Don Belcher, yes; Mavis Cohill, yes; Lauren Kennamer, yes; Larry Lowe, yes; Blake Ray, yes; Melissa Rosetta, yes.

The proposed Municipal Debris Removal Fund was briefly discussed. This was presented at an earlier meeting. No motion was made to participate in the Fund.

The backhoe purchase was discussed. We do not have a concrete price yet. This will be an item on the May 03, 2021, meeting agenda.

Mayoral Announcements

The water projects are ongoing. We are getting all out ducks in a row for cleaning the water tank on Highway 25.

The mayor has been talking with Reverend Steve Thomas, Wilsonville Baptist Church, about the annual God and Country Celebration, which was not held last year due to the Covid19 pandemic. The Celebration will be held this year, June 27. The Town provides food for the event. Councilwoman Mavis Cohill will talk with Mike Gannon, Tin Top Barbeque, in Columbiana about the price for four-hundred-fifty sandwiches for the event. Potato chips, snack cakes, and drinks will be purchased from Hudd's Food Center. The church has been informed the fireworks expense will be much higher next year and we may consider helping out with that expense at that time.

Scotty Morris has volunteered to chair the Recreation Board. Blake Ray has agreed to be the council representative on that board. Other appointments will be made at a later date.

Tim and Danny have made repairs to the improperly installed playground equipment at Oak Meadow Park. This has been an ongoing issue for over a year. Part of the fence on the back corner of Oak Meadow Park has been damaged. This will either be repaired or replaced with a gate.

C-Spire finally contacted the mayor. They are not interested in supplying internet services to Wilsonville, at this time. Ms. Williams, the AT&T representative, said the current federal administration is doing research to determine the rural areas in need of internet access and may be contributing some funding later. There is some talk about subsidies, similar to the school

lunch subsidies, being offered for internet service. Ms. Williams stated the infrastructure to provide internet service is very expensive. Companies cannot invest more than they would make to provide the service. There is some equipment on cell towers; the customer would have a box on the side of their home to receive this service. Blake Ray asked if there is anything we can do to speed up the process.

Five ALDOT representatives and two representatives from The Kelley Group were in town looking at the issues with the sidewalk project last week. The mayor and Councilwoman Kennamer met with them. Once again, ALDOT says the guardrails are not the proper ones; they do not meet crush resistance requirements. The guard rails will have to either be removed or replaced with the proper ones. Both town officials told ALDOT we have paid for the guardrails twice and we will not pay for them again. They were supposedly approved by ALDOT prior to installation both times. No decision has been made about how to repair the washed out area under the sidewalk. Councilman Blake Ray stated he thinks the guardrails are necessary due to the closeness of the sidewalk to Highway 25. For the safety, especially for small children, guardrails are needed.

Council Comment

Mavis Cohill asked if the Town can contribute to school supplies for children who might be in need of assistance. Blake Ray stated Wilsonville Baptist Church does that annually. Richard Atchison stated the Town gives a \$3,000.00 contribution annually to the school and in addition to that, provided new playground equipment recently.

Melissa Rosetta asked if an operator for the Helms Park Concession Stand had been found. There are no games scheduled at Helms Park this year. The fields are being used for practice only.

Councilwoman Rosetta reminded everyone the monthly Food Bank distribution will be tomorrow.

Councilman Belcher said he has talked with Jimmer Bolden about participating in flag duty at Central Park. Mr. Bolden is not physically able to do that at this time.

Mr. Belcher asked about the Shelby County phone alert when the weather is threatening. We will try to get Hub Harvey with Shelby County EMA to come to a council meeting to talk to us about that.

Mr. Belcher also has a concern about a large dead tree on Old Lokey Ferry Road. He asked if we could remove it. Councilman Atchison stated we cannot, since the tree is on private property. Should it fall during a storm and block the road, then, we can, but as long as it is standing, we cannot.

Councilman Belcher asked if the Town has any regulations about junky yards. The clerk stated we have an ordinance in place but enforcing it is quite complicated.

Mr. Belcher stated, in his neighborhood, where work is going on at the Lokey Subdivision, workers are trashing the street. They are leaving their paper plates, water bottles, and other items on the edge of the street rather than disposing of these items properly. He has, personally, picked up several bags of trash. Councilman Atchison said maybe the deputy could patrol the area.

Blake Ray asked about the Town changing the state retirement so that Tier 2 employees can get Tier 1 benefits. This would help when new people are hired. Richard Atchison stated May 8th is the deadline to get this done. The clerk will look into this issue.

Lauren Kennamer asked if the Town needs to hire temporary help with grass cutting.

Lauren Kennamer also asked about the storm shelter situation. She would like to know the size of the lot behind Fire Station 1 which has been proposed as a site for a shelter. Blake Ray stated the shelter needs to be able to house at least two-hundred people. This is the number of people who were at the Baptist Church, March 25. Councilwoman Kennamer has a cost estimate of \$123,645.00 for a shelter for two-hundred-ten people.

Larry Lowe stated the entrance to the Homestead Subdivision is getting bushier and bushier. Two cars cannot meet there without getting scraped by the bushes. Mayor Morris stated our employees can do some trimming. Shelby County will do major cutting when they come to cut rights-of-way.

Public Comment – There was none.

There being no further business to come before the council, Richard Atchison made a motion to adjourn the meeting; Larry Lowe seconded. The motion received unanimous approval.

The meeting was adjourned at 7:35 P. M.

Ricky Morris, Mayor

Attest