

STATE OF ALABAMA
ST. CLAIR COUNTY

The City Council of the City of Pell City met in a regular work session at City Hall at 5:30 p.m. on Monday, January 13, 2020. Present were Council President James McGowan, Councilmen Blaine Henderson, Jason Mitcham and Jud Alverson. Councilman Jay Jenkins was absent. Council President McGowan opened the meeting for discussion.

The invocation was led by Mayor Bill Pruitt.

The pledge to the American Flag was led by Assistant City Clerk Sheree Pruitt.

The City Clerk had roll call for attendance.

Councilman Alverson stated the bills on file had been reviewed and could be paid.

There was no discussion regarding the minutes from the December 16, 2019 Council Meeting.

Mr. Jeff Thompson, Executive Director of CEPA addressed council to discuss some necessary improvements needed at the CEPA building to be able to accommodate and comply with the contract for the Black Jacket Symphony to perform at the facility. Mr. Thompson received a quote from Johnny's Electric in the amount of \$9,650.00. He requested to expend \$6,600.00 from the rentals that were collected in previous years with the remainder from the CEPA operating budget. Brian Muenger, City Manager, advised he had received a confirmation email from Dr. Martin with the Board of Education authorizing to expend these funds.

Mr. Greg Henderson requested to be on the Council Agenda, but did not appear.

Ms. Dawn Childre, Human Resource Director, addressed council to discuss the estimated Workers' Compensation invoice for CY2020. Ms. Childre advised there were three estimates with three deductible amounts and stated for the past years the City had chosen a \$50,000.00 deductible. City Manager Brian Muenger advised the experience modifier was 1.0 which allowed an additional 16% discount. He stated the \$50,000.00 deductible had been going well and would continue to go well as long as the City continued to work safely.

Ms. Penny Isbell, City Clerk, addressed council to discuss assessing a \$10.00 fee for assessment letters requested by lenders. Ms. Isbell stated the letters were being requested more frequently and were currently being provided at no charge to the requestor. She advised a \$10.00 fee would be in line with other municipalities in the area.

City Manager Muenger addressed the council to discuss leasing office space at the Municipal Complex. He advised that the Literacy Council requested additional time to review the lease agreement. Team Hennessey, LLC was interested in leasing office space at the Municipal Complex as well at an annual rental rate of \$5,400.00.

City Manager Muenger addressed the Council regarding the Capital Improvement Project Budget for FY19/20. He advised the information provided had been updated per the CIP Budget Work Session. Mr. Muenger recommended the approval of the resolution which had been prepared that also allowed money to be moved at such time as needed to complete the projects.

City Manager Comments: City Manager Muenger stated the December 2019 City Manager's report included the number of Christmas displays and the traffic count for Christmas Lights in the Park. Mr. Muenger stated there were over 6,000 vehicles that drove through and viewed the displays. Mr. Muenger recognized the Animal Shelter for their high adoption rate and having maintained that rate for several months.

Mayor Comments: Mayor Pruitt had no additional comments.

City Attorney John Rea advised the council needed to enter into an executive session that was listed on the Council Agenda to discuss potential real estate development projects which

involved the City. Mr. Rea advised the Executive Session would last approximately one hour and fifteen minutes.

At 5:44 p.m., on motion of Councilman Alverson, seconded by Councilman Mitcham, the council unanimously approved to enter into Executive Session for one hour and fifteen minutes. On roll call, those voting aye being: Council President McGowan, Councilmen Henderson, Mitcham and Alverson. Nays: None. Council President McGowan declared the motion approved.

On motion of Councilman Henderson, seconded by Councilman Alverson, the council unanimously adjourned the executive session at 7:03 p.m. No action was taken.

The City Council of the City of Pell City met in a regular council meeting at City Hall at 7:03 p.m. on Monday, January 13, 2020. Present were Council President James McGowan, Councilmen Blaine Henderson, Jason Mitcham and Jud Alverson. Councilman Jay Jenkins was absent. Those present constituting a quorum of the council, the following business was transacted:

The City Clerk had roll call for attendance.

On motion of Councilman Henderson, seconded by Councilman Alverson, the council unanimously approved the agenda as presented.

On motion of Councilman Alverson, seconded by Councilman Mitcham, the council unanimously approved the payment of bills on file.

On motion of Councilman Henderson, seconded by Councilman Alverson the council unanimously approved the minutes of the regularly scheduled council meeting held on December 16, 2019.

On motion of Councilman Henderson, seconded by Councilman Mitcham, the council unanimously approved a request from Jeff Thompson, CEPA Executive Director, regarding the installation of a 3-phase power at the CEPA building using approximately \$6,600.00 from the previous years rental revenue and the remainder from the CEPA Operating Budget.

On motion of Councilman Mitcham, seconded by Councilman Henderson, the council unanimously approved the estimated Workers' Compensation Invoice for 2020 with a \$50,000.00 deductible.

On motion of Councilman Mitcham, seconded by Councilman Alverson, the council unanimously approved a \$10.00 fee for the research and preparation of assessment letters.

Council President McGowan introduced the following ordinance declaring certain property no longer needed for municipal purposes and authorizing the lease of said property:

ORDINANCE NO. 2020 – 5248

AN ORDINANCE DECLARING CERTAIN REAL PROPERTY NO LONGER NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE LEASE OF SAID PROPERTY BY THE CITY OF PELL CITY, ALABAMA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELL CITY, ALABAMA, AS FOLLOWS:

1. It is hereby established and declared that the following described real property of the City of Pell City, Alabama, is no longer needed for public or municipal purposes, to-wit: An office suite located on the second floor in the Municipal Complex of the City of Pell City, 1000 Bruce Etheredge Parkway, Pell City, Alabama 35128, containing approximately 340 square feet.
2. The City of Pell City, Alabama, having received an offer from Team Hennessey, LLC to lease that real property described in Section 1, above, it is hereby declared to be in the best interest of the public and the City of Pell City, Alabama, to lease said real property to Team Hennessey, LLC under the following terms and conditions, to-wit:

- Approximately 340 square feet of office space located on the second floor of the Municipal Complex together with the right to use in common with Lessor, its employees, invitees, and customers, and Lessor's other tenants and their employees, invitees, and customers, the conference room and restroom facilities located on the second floor of the Municipal Complex for a term of one (1) year at the annual rental rate of \$5,400.00 or \$450.00 per month, commencing on the 1st day of January, 2020

3. Pursuant to the authority granted by § 11-47-21, Ala. Code 1975, the Mayor of the City of Pell City, Alabama, is hereby directed to execute the lease agreements, in form and substance as attached hereto as Exhibit A, in the name of the City of Pell City, Alabama, by and between the City and Team Hennessey, LLC.

4. Severability. If any part, section, or provision of this Ordinance shall hereafter be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of any other section or provision of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

5. Repeal of Conflicting Ordinances. Any Ordinance, Resolution, or previous Council authorization in conflict with this Ordinance shall be and is hereby repealed on the effective date of this Ordinance.

6. Effective Date. This Ordinance shall become effective immediately upon approval and publication as required by law.

Councilman Mitcham moved that all rules and regulations, which unless suspended would prevent the immediate consideration and adoption of said ordinance, be suspended and that unanimous consent to the immediate consideration and adoption of said ordinance be given. The motion was seconded by Councilman Henderson. On roll call vote, the motion was unanimously approved. Those voting aye being: Council President McGowan, Councilmen Mitcham, Henderson and Alverson. Nays: None. Council President McGowan declared the motion approved.

Councilman Mitcham then moved that said ordinance be now placed upon its final passage and adopted. The motion was seconded by Councilman Alverson. The question being put as to the adoption of said motion and the passage of said ordinance, on roll call vote, the motion was unanimously approved. Those voting aye being: Council President McGowan, Councilmen Mitcham, Henderson and Alverson. Nays: None. Council President McGowan declared the motion approved and the ordinance adopted.

On motion of Councilman Alverson, seconded by Councilman Mitcham, the council unanimously approved **RESOLUTION NO. 2019 – 5244** regarding Capital Improvement Projects for FY2019/2020.

On motion of Councilman Henderson, seconded by Councilman Alverson, the council adjourned subject to the call of the Council President.


James McGowan - Council President

ATTEST:


Penny Isbell - City Clerk