

STATE OF ALABAMA  
ST. CLAIR COUNTY

The City Council of the City of Pell City met in a work session at the City Hall at 5:30 p.m. on Monday, January 27, 2020 Present were Council President James McGowan, Councilmen Jay Jenkins, Blaine Henderson, Jason Mitcham and Jud Alverson. Council President McGowan opened the meeting for discussion.

The invocation was led by Councilman Jay Jenkins.

The pledge to the American Flag was led by City Clerk Penny Isbell.

The City Clerk had roll call for attendance.

Councilman Jud Alverson stated the bills on file were reviewed and everything was in order to pay.

There were no comments on the minutes of the regularly scheduled council meeting held on January 13, 2020.

Cristy Daffron and Kim Craven with St. Clair Community Health (f/k/a Easter Seales) addressed the City Council to discuss the progress report for the non-profit clinic located at the Social Services Building. Ms. Daffron confirmed the following stats since the clinic opened:

- over 2000 primary healthcare services provided;
- over 620 lab evaluations performed;
- over 30 providers who have donated their services and time;
- donated over \$27K dollars in insulin to patients

She also advised the name of the clinic had changed at the suggestion of Easter Seales to St. Clair Community Health Clinic and advised Easter Seales was being directed by Michael Wooley. Ms. Daffron advised the clinic was dependent upon volunteerism, gifts and contributions. She confirmed the clinic was still partnered with Easter Seales as they provide accounting services and marketing. Ms. Daffron also confirmed Easter Seales provided some monetary support through United Way, but the clinic did have their own checking account at Metro Bank.

Mr. Eric Housh and Justin Hogeland addressed the City Council to discuss a User Agreement with Logan Martin Charity Foundation, for the use of Lakeside Park for Logan Martin Lakefest and Boat Show. Mr. Housh stated funds had been earmarked over the past three years and proposed to construct a 30x50 pavilion at Lakeside Park, and conduct minor modifications to the pier T-pier that would allow for 10 – 15 additional spaces for boat parking, and a removeable handrail system. City Manager Muenger stated the agreement presented remained the same as in previous years. Bubba Edge, Park and Rec Director advised he was aware of the plans and had met with Mr. Housh.

City Manager Muenger advised requests were received modifying existing organization charts. Fire Chief Kurzejeski addressed the council to discuss consolidating seven (7) part-time positions into three (3) full-time positions. He stated the position changes would add one (1) full-time position to each shift and advised there would be a cost savings by making this change. Brian Muenger, City Manager advised an employee within the Utility Department had exceeded the licensing requirements for his position. Mr. Muenger advised Mr. Hadaway had requested the employee be placed at pay range 13 step 8, and advised the change would be in line with the certification received.

Penny Isbell, City Clerk, addressed the Council regarding the property located at 4412 Masters Road, which was previously bought at a tax sale by Tyler Prescott. Ms. Isbell advised the mobile

home had been removed but had clean up to complete once the weather was clear. She recommended the resolution be denied at the appropriate time.

Police Chief Paul Irwin addressed the council regarding a lease agreement for 10 Flock Cameras through Alabama Power Company. Chief Irwin stated the police department would be able to view the video footage of other municipalities that participated in the program. Councilman Jay Jenkins confirmed with Chief Irwin that should damage occur to the cameras the City would not be responsible. Chief Irwin also advised the these cameras were not bid due to Alabama Power owning the poles and Flock Safety was the only company allowed to place these cameras on the poles. City Manager Muenger confirmed with Chief Irwin the data would be stored on the server owned by Flock Safety.

Police Chief Paul Irwin addressed council to discuss the purchase of five (5) police tahoes. He advised the vehicles would be purchased from Donohoo Chevrolet who was listed on the State Bid list. Chief Irwin advised the vehicles were approved through the Capital Improvement Plan budget on January 13, 2020.

City Manager Muenger discussed an agreement with the City of Anniston for Animal Control Services. Mr. Muenger stated the City of Anniston reached out to Animal Control requesting overflow space be provided to their Animal Control. Mr. Muenger stated the City would accept canines only as space availability is confirmed with the Animal Control Center prior to transporting the canines to the Center. Chief Irwin advised the agreement was discussed in length for several months and if the employees at the Animal Control Center had not worked hard the agreement would not have been possible.

City Attorney John Rea requested that the record reflect that the law in addition to the sole provider language as Chief discussed was certainly allowable, but also advised the law allowed for the purchase of contractual services that had an impact on security plans and other security options to be exempt from bid law.

City Manager Muenger discussed consideration of two (2) leases for office space in City owned buildings. Mr. Muenger stated the first lease proposed was with the Literacy Council of Central Alabama. Mr. Muenger stated the proposed lease is a single office totaling 142 square feet, at the Municipal Complex with a proposed of \$1,800.00. Mr. Muenger stated the second lease proposed was with Liberty Financial (Jesse Ecker) at the recently acquired building located at 111 North 20<sup>th</sup> Street. He advised Mr. Ecker was currently leasing at a rate of \$800.00 per month and advised Mr. Ecker wanted to continue on a month to month basis at the same rate. City Attorney John Rea advised the 60 day termination notice period in the lease agreement should be changed to a 30 day notice so it would be more in line as a month to month lease.

City Attorney John Rea addressed the council regarding the termination of a tax agreement with the Board of Education which was approved in 2013. He advised the board had passed a resolution very similar terminating the agreement and was presented for the City Council's approval. Mr. Rea also advised an Ordinance was presented which would extend the existing distribution to the Board of Education of 1.3% and remove the sunset that was previously listed in the Ordinance. Mr. Muenger advised he had spoken with Dr. Martin and wanted to convey his appreciation of the council's continued support of the Board of Education.

City Manager Comments: Mr. Muenger advised he was unclear on the direction of the Avondale Water Tank lettering. He requested the council make a decision as to which option they wished to approve. Mr. Jenkins advised he had spoken with people who wanted "Pell City" and "Avondale Mills" on the lettered on the water tank.

City Attorney John Rea advised there was an executive session on the Agenda. Mr. Rea advised the discussion was regarding a potential economic development and certified it qualified for an Executive Session. Mr. Rea stated he expected the City Council to be able to reconvene at 7 p.m. On motion of Councilman Alverson, seconded by Councilman Mitcham, the council unanimously approved a motion to enter into Executive Session until 7:00 p.m. On roll call, those voting aye being: Council President McGowan, Councilmen Alverson, Henderson, and Mitcham. Nays: None. Council President McGowan declared the motion approved.

There being no further items to discuss, Council President McGowan adjourned the work session.

The City Council of the City of Pell City met in a regular council meeting at City Hall at 7:00 p.m. on Monday, February 27, 2020. Present were Council President James McGowan, Councilmen Jay Jenkins, Blaine Henderson, Jason Mitcham and Jud Alverson. Those present constituting the entirety of the council, the following business was transacted:

The City Clerk had roll call for attendance.

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

On motion of Councilman Alverson, seconded by Councilman Henderson, 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 January 13, 2020.

On motion of Councilman Mitcham, seconded by Councilman Henderson the council unanimously approved **RESOLUTION NO. 2020 - 5249** regarding a user agreement with Logan Martin Charity Foundation and the capital improvements as proposed.

On motion of Councilman Jenkins, seconded by Councilman Mitcham, the council unanimously approved the reclassification of personnel in the Utility Department as presented.

On motion of Councilman Henderson, seconded by Councilman Jenkins, the council unanimously approved the reorganization of personnel in the Fire Department.

On motion of Councilman Alverson, seconded by Councilman Mitcham, the council unanimously denied **RESOLUTION NO. 2019 - 5065** regarding the condemnation of property located at 4412 Masters Road.

On motion of Councilman Alverson, seconded by Councilman Henderson, the council unanimously approved **RESOLUTION NO. 2020 - 5253** regarding the lease with Alabama Power for ten (10) Flock Cameras for the Police Department.

On Motion of Councilman Jenkins, seconded by Councilman Mitcham, the council unanimously approved **RESOLUTION NO. 2020 - 5254** regarding the purchase of five (5) Police Vehicles from the State Bid List.

On motion of Councilman Mitcham, seconded by Councilman Alverson, the council unanimously approved a User Agreement with the City of Anniston for Animal Control Services.

Council President McGowan introduced **ORDINANCE NO. 2020 - 5247** regarding the leasing of office space at the Municipal Complex to The Literacy Council of Central Alabama.

Councilman Henderson 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 Mitcham. On roll call vote, the motion was unanimously approved. Those voting aye being: Council President McGowan, Councilmen Jenkins, Henderson, Mitcham and Alverson. Nays: None. Council President McGowan declared the motion approved. Councilman Jay Jenkins recused himself.

On motion of Councilman Jenkins, seconded by Councilman Alverson, the council unanimously tabled **ORDINANCE 2020 - 5247**.

Council President McGowan introduced **ORDINANCE NO. 2020 - 5250** regarding the leasing of office space at 111 20th Street North to Liberty Financial.

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 Alverson. On roll call vote, the motion was unanimously approved. Those voting aye being: Council President McGowan, Councilmen Jenkins, Henderson, Mitcham and Alverson. Nays: None. Council President McGowan declared the motion approved.

Councilman Jenkins then moved that said ordinance be now placed upon its final passage and adopted. The motion was seconded by Councilman Mitcham. 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 Jenkins, Henderson, Mitcham, 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. 2020 - 5251** authorizing the cancellation of the 2013 agreement with the Board of Education. Councilman Henderson recused himself.

Council President McGowan introduced **ORDINANCE NO. 2020 - 5252** revising the method of distribution of certain tax proceeds.

Councilman Henderson 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 Alverson. On roll call vote, the motion was unanimously approved. Those voting aye being: Council President McGowan, Councilmen Jenkins, Henderson, Mitcham and Alverson. Nays: None. Council President McGowan declared the motion approved.

Councilman Alverson then moved that said ordinance be now placed upon its final passage and adopted. The motion was seconded by Councilman Mitcham. 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 Jenkins, Mitcham, and Alverson. Nays: None. Council President McGowan declared the motion approved and the ordinance adopted. Councilman Henderson recused himself.

City Manager Brian Muenger advised the council had discussed the painting of the Avondale Mills Water tank, and requested a decision. Mr. Muenger advised he recommended Exhibit "B" described as having the words "Avondale Mills" facing Avondale Mills and the words "Pell City" on the sides facing Highway 231. City Attorney John Rea advised a Motion to Suspend the Rules to Amend the Agenda was appropriate.

Councilman Mitcham moved that all rules and regulations, which unless suspended would prevent

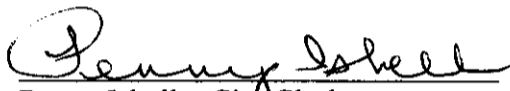
the immediate consideration and adoption of said ordinance, be suspended and that unanimous consent to the immediate consideration and adoption of said ordinance be given. The motion was seconded by Councilman Jenkins. On roll call vote, the motion was unanimously approved. Those voting aye being: Council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

On motion of Councilman Jenkins, seconded by Councilman Mitcham, the council unanimously approved to add the painting design of the Avondale Mills Water Tank to the agenda and approve Exhibit "B" as presented.

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

  
James McGowan - Council President

ATTEST:

  
Penny Isbell - City Clerk