

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, July 13, 2020. Present were Council President James McGowan, Councilmen Jay Jenkins, Jud Alverson, Jason Mitcham and Blaine Henderson. Those present constituting the entirety of the Council, Council President McGowan opened the meeting for discussion.

The invocation was led by Reverend Donald Gover.

The pledge to the American Flag was led by Councilman Jay Jenkins.

The City Clerk had roll call for attendance.

Councilman Alverson stated the bills on file had been reviewed and everything was in order.

There were no comments on the minutes of the regular council meeting held on June 22, 2020.

Council President James McGowan stated there was a Public Hearing set for 7:00 p.m. to consider the following:

- Rezoning of property located on Dickey Drive
- Rezoning of property located at 3802 Cogswell Avenue
- Rezoning of property located in Easonville Subdivision Phase 2 on Highway 231 South
- Building Code and Fire Code Revisions

Reverend Donald Gover, accompanied by Pastor Bedford, addressed council to discuss the recent civil demonstrations and protests regarding systematic racism and injustice. Rev. Gover asked for the Mayor's, City Manager's, and councilmembers' support. Rev. Gover also stated that he had requested a meeting with Police Chief Irwin to review the Police Department's policies and procedures. Council President McGowan encouraged him to meet with the Chief and suggested Chief Irwin would be happy to meet with him for the review.

Mr. Phil Roberson addressed the Council on behalf of the residents of Twin Oaks Subdivision regarding the streets within the subdivision. Mr. Robertson stated there were storm drains that were uncovered. He asked that if the City was responsible for the maintenance of the roads, they be reassessed and repaired and if not, if the City would assist the HOA with purchasing and installing storm drain covers. Council President McGowan stated that the City would take the request under advisement, and requested that the City Manager and City Attorney determine if the maintenance of the roads and streets were the responsibility of the City.

City Manager Brian Muenger addressed council regarding the license for Retail Beer (Off-Premise Only) and Retail Wine (Off-Premise Only) for TTT Mart, Inc. located at 410 Martin Street North. He advised the store had been sold and the application was a request of the new owner. Mr. Muenger stated the Police Department had completed the background check which was approved.

City Manager Muenger addressed council to discuss an annexation request for property located at 388 Walrond Lane. He advised the request was driven by a need for utility service and confirmed the lot size met the requirements for the zoning requested. Mr. Muenger confirmed with Mr. Hadaway there was water only provided.

City Building Inspector Kenny Boyd addressed council regarding the annexation of two parcels located in the Easonville Subdivision Phase 2. Mr. Boyd advised there were no written comments submitted. City Manager Muenger confirmed the request for lots being annexed in the City Limits had plans of being developed as residential.

comments submitted. City Manager Muenger confirmed the request for lots being annexed in the City Limits had plans of being developed as residential.

City Manager Muenger advised the Council that Michael Burt was present from QT (QuickTrip) regarding the Final Plat approval. Mr. Burt addressed the Council and advised the large tract of land was owned by Metro Bank and located in Eden. Mr. Burt presented details of the development. Mr. Muenger advised the stores were very well kept and was excited about the store locating in the City. He advised with QT developing on the property, it would require sewer service, which would allow the City to have a gravity main. Mr. Muenger confirmed the gravity main could serve up to 250 acres of adjacent developable land. Mr. Muenger advised it was not just an asset to the community, but also a positive development for the City's infrastructure.

City Manager Muenger addressed the Council regarding the Final Plat submitted for approval of the Bluffs Subdivision. He confirmed it had passed the Planning Commission process and advised there were no additional comments. Mr. Muenger confirmed the roads would remain private roads and the City would not be responsible for the maintenance.

City Manager Muenger addressed the Council regarding the Final Plat resurvey of Lots 2 and 3 in Harmon Subdivision. He advised the owners were adjusting the lines in order for both parcels to be developable.

James Hadaway, Utility Manager addressed the Council regarding the pay grade for a WasteWater Operator Grade IV. Mr. Hadaway advised he needed to recruit as many operators as possible. He advised he was requesting a step 14 with a pay rate of \$23.32 per hour. City Manager Muenger said this had been discussed over the years and reiterated that as experienced personnel retire, it was necessary to fill those positions with experience.

City Manager Muenger addressed the Council regarding the appointment of the Election Manager and Absentee Election Manager for the 2020 Election. He confirmed the appointment was a plan that would allow duties to be assigned. Mr. Muenger advised the resolution would appoint himself as the Election Manager but confirmed he, along with Ms. Isbell and Mrs. Pruitt, had been attending training for the Election.

City Manager Muenger addressed the Council regarding an agreement with St. Clair County for housing of inmates. He advised the agreement was renewed last year for a single year while attempting to engage in negotiations regarding terms of compensation. He confirmed there had been several developments regarding the jail over the last week and advised the rate had not changed. Mr. Muenger advised the developments could affect the rate in the future. Mayor Pruitt expressed his concerns regarding the time constraints placed on the officers of transporting the inmates to Ashville and additional expenses incurred. Chief Irwin advised the officers would not arrest anyone outside City limits on a traffic offense unless it was a DUI. City Attorney John Rea advised the development at the jail happened quickly last week and confirmed historically the County had been unwilling to modify the daily cost imposed by the agreement. He confirmed the City would not be prejudiced if the agreement was tabled until next Council meeting.

City Manager Muenger addressed the Council regarding new Grass/Weed Nuisance cases. He advised the first available date for the public hearing for these cases would be August 24, 2020.

City Manager Muenger addressed the Council regarding the Community Development Block Grant. Mr. Muenger confirmed the grant was in the amount of \$450,000.00 to replace the influent screen at the WWTP. He advised until ADECA concurs, the Council should not act on Change Order #1, but did confirm the Council could approve the agreement with Taylor Corporation. Mr. Byron Woods, Municipal Consultants, advised the project was to install a screen for redundancy as precautionary measures. Mr. Woods advised the contractor, if awarded the bid, was able to change some equipment and reduce the cost by \$81,000.00. He confirmed the total project cost would be \$628,500.00 after the change order. City Manager Muenger advised the City's share of the project would be \$178,500.00.

Mr. Hadaway addressed the Council regarding a quote received from Evoqua for a gear reducer for an aerator at the WWTP. Mr. Hadaway confirmed Evoqua was a sole source supplier and advised the project would be paid through the WWTP operating budget. City Manager Muenger confirmed the funds were in the budget and said the piece of equipment was very important.

City Manager Muenger addressed the Council regarding qualifying expenses under the Coronavirus Relief Fund (CRF). Mr. Muenger advised the first drawdown had been completed but was reduced by approximately \$3,000.00 for unallowable taxes. He confirmed the second submittal was for reimbursement for payroll of first responders for March, April and May. Mr. Muenger advised this request would deplete the funds available and advised that the request was being made by guidance from the Treasury Department.

City Manager Muenger addressed the Council regarding the USTA Grant award received by the Park and Rec Department. Mr. Muenger recognized the Park and Rec Department and Ms. Sarah Stewart for their submittal for the grant. Bubba Edge, Park & Recreation Director, confirmed the grant was in the amount of \$3,500.00 and was used for tennis equipment and sanitization for re-opening after being shut down due to the coronavirus. Mr. Muenger added the grant covered staff time as well.

City Manager Comments: None.

Mayor Comments: Mayor Pruitt advised that Mr. Phil Roberson mentioned there was an emergency at their home where the Fire Department responded. Mr. Roberson asked the Mayor to express his appreciation to the Fire Department for their service. Mayor Pruitt expressed how proud he was of the first responders.

Mr. Robbie Robinson addressed the Council regarding the Bluffs. He advised it was a 21-lot retirement community for seniors 55 and above.

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, July 13, 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 Jenkins, seconded by Councilman Henderson, the Council unanimously approved the minutes of the regularly scheduled council meeting held on July 13, 2020.

Now was the time set aside for a public hearing to consider the rezoning request of certain property located on Dickey Drive and owned by Vintage Resources, Inc. The requested rezoning was from R-A (Residential Agricultural District) to P-R (Planning Residential District). The request came from the Planning Commission with a recommendation for approval. Council President McGowan opened the public hearing at 7:06 p.m.

Mr. Shaun Irvin, President of New Castle Homes, addressed the Council. Mr. Irvin advised the company has built family homes for over twenty years. Mr. Irvin stated the City of Pell City was family oriented and friendly. He advised the houses they would be building had an average resale of \$204,000 and confirmed there would be a maximum of 90 homes built on the property.

There being no further comment, Council President McGowan closed the public hearing at 7:07 p.m.

Now was the time set aside for a public hearing regarding a rezoning request of certain property located at 3802 Cogswell Avenue and owned by Frank Walker. The requested rezoning was from R-4 (High Density Residential District) to M-1 (Light Manufacturing District). The request came from the Planning Commission with a recommendation for approval. Council President McGowan opened the public hearing at 7:08 p.m. There being no one present, the public hearing was closed at 7:08 p.m.

Now was the time set aside for a Public Hearing to consider a rezoning request of certain property located on Highway 231 South adjacent to Easonville Subdivision and owned by Metro Bank. The property consisted of two parcels. The requested rezoning was from R-A (Residential Agricultural District) to R-1 (Low Density Residential District). The request came from the Planning Commission with a recommendation for approval. Council President McGowan opened the public hearing at 7:09 p.m.

Mr. Ben Watson with Insight Engineering was present to discuss the rezoning request. Mr. Watson advised there were two lots that were being requested to be rezoned in order to be appropriately zoned.

Mr. Alan Ross, who resides at 295 Homestead Drive, requested to see the actual map of the proposal.

Mr. Ben Watson gave a presentation to the residents that were present for the public hearing.

There being no further comment, Council President McGowan closed the public hearing at 7:39 p.m.

Now was the time set aside for a Public Hearing to consider the adoption of updates to the City of Pell City Building Codes and Fire Codes. Council President McGowan opened the public hearing at 7:40 p.m.

Building Inspector Kenny Boyd was present and stated the City would like to run concurrent with the state. Mr. Boyd stated this would allow the City to operate on the 2015 Building Code and 2014 Electrical Code. City Manager Muenger advised there was one comment received from a local construction firm that was unable to be present. Mr. Muenger advised the contractor requested an additional two weeks for review.

There being no further comment, Council President McGowan closed the public hearing at 7:41 p.m.

Council President McGowan introduced **ORDINANCE 2020 – 5316** regarding the rezoning of property located on Dickey Drive and owned by Vintage Resources, Inc. (Parcel ID: 29-03-05-0-003-010.001).

ORDINANCE NO. 2020 - 5316

AN ORDINANCE AMENDING ORDINANCE NO. 79-516 TO REZONE FROM R-A TO P-R CERTAIN PROPERTY LOCATED WITHIN THE CITY LIMITS OF THE CITY OF PELL CITY, ALABAMA

WHEREAS, Vintage Resource, Inc., the owner of the hereinafter described real estate situated in Pell City, St. Clair County, Alabama, did file with the Clerk of the City of Pell City, Alabama, a written petition duly signed by Vintage Resource, Inc., requesting that said described property located within the corporate limits of the City of Pell City be rezoned from R-A (Residential Agricultural District) to P-R (Planned Residential District) under the provisions of section 11-52-70, *et seq*, *Code of Alabama*, 1975, as amended; and

WHEREAS, said petition did have attached thereto an accurate description of said territory proposed to be rezoned, together with a map of said property, all as is required under the provisions of said section 11-52-70, *et seq*; and

WHEREAS, the City Council of the City of Pell City has heretofore given notice of and convened a public hearing on July 13, 2020 pertaining to said rezoning; and has examined the aforesaid petition and exhibits attached thereto and finds that the said described lands are located within the corporate limits of the City of Pell City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELL CITY, ALABAMA, as follows:

Section 1. The petition of Vintage Resource, Inc., the owner of the following described lands situated in the City of Pell City, Alabama, requesting that the same be rezoned from R-A to P-R be and the same is hereby approved, to-wit:

A parcel in the Northeast Quarter of the Southwest Quarter of Section 5, Township 17 South, Range 4 East in St. Clair County, Alabama and being more particularly described as follows: Commence at an existing 1/2" bolt at the Southeast corner of said Quarter-Quarter Section, said point being the Point of Beginning and run North 00° 14' 55" East along the East line of said Quarter-Quarter Section for 542.48 feet to an existing 5/8" rebar, thence North 00° 18' 00" East along said East line for 733.21 feet to an existing 5/8" rebar, thence North 00° 54' 40" West along said East line for 6.52 feet to an existing 1/2" rebar on the South right-of-way of Dickey Drive (50' right-of-way), thence North 89° 17' 05" West along said South right-of-way for 353.68 feet to an existing 5/8" rebar, thence North 88° 50' 55" West along said South right-of-way 157.26 feet to an existing 1/2" rebar, thence North 88° 04' 35" West along said South right-of-way for 201.75 feet to an existing 5/8" rebar, thence (leaving right-of-way) run South 00° 40' 50" West for 302.99 feet to a 5/8" rebar set, thence South 65° 42' 15" West for 224.43 feet to an existing 1/2" rebar, thence South 60° 36' 10" West for 471.94 feet to an existing 1/2" rebar on the West line of said Quarter-Quarter Section, thence South 00° 13' 25" East along said West line for 61.48 feet to an existing 1/2" rebar, thence South 00° 18' 00" East for 312.02 feet to an existing 1/2" rebar, thence South 00° 27' 15" East along said West line for 107.97 feet to an existing 1/2" rebar, thence South 00° 13' 55" East for 181.30 feet to an existing 1/2" pipe at the Southwest corner of said Quarter-Quarter Section, thence South 89° 42' 10" East along the South line of said Quarter-Quarter Section for 1322.28 feet to the Point of Beginning. The above containing 32.80 acres.

Section 2. The Zoning District Map of the City of Pell City shall be amended by rezoning the aforesaid described parcel of land from R-A to P-R.

Section 3. This Ordinance shall become effective upon approval, passage and publication as required by law.

Councilman Jenkins 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 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 Henderson. 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.

Council President McGowan introduced **ORDINANCE NO. 2020 – 5317** regarding the rezoning of property located at 3802 Cogswell Avenue and owned by Frank Walker (Parcel ID: 22-09-31-4-000-005.002):

ORDINANCE NO. 2020 - 5317

**AN ORDINANCE AMENDING ORDINANCE NO. 79-516 TO REZONE
FROM R-4 TO M-1 CERTAIN PROPERTY LOCATED WITHIN THE
CITY LIMITS OF THE CITY OF PELL CITY, ALABAMA**

WHEREAS, Otto Walker c/o Frank Walker, the owner of the hereinafter described real estate situated in Pell City, St. Clair County, Alabama, did file with the Clerk of the City of Pell City, Alabama, a written petition duly signed by Otto Walker c/o Frank Walker, requesting that said described property located within the corporate limits of the City of Pell City be rezoned from R-4 (High Density Residential District) to M-1 (Light Manufacturing District) under the provisions of section 11-52-70, *et seq*, *Code of Alabama*, 1975, as amended; and

WHEREAS, said petition did have attached thereto an accurate description of said territory proposed to be rezoned, together with a map of said property, all as is required under the provisions of said section 11-52-70, *et seq*; and

WHEREAS, the City Council of the City of Pell City has heretofore given notice of and convened a public hearing on July 13, 2020 pertaining to said rezoning; and has examined the aforesaid petition and exhibits attached thereto and finds that the said described lands are located within the corporate limits of the City of Pell City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELL CITY, ALABAMA, as follows:

Section 1. The petition of Otto Walker c/o Frank Walker, the owner of the following described lands situated in the City of Pell City, Alabama, requesting that the same be rezoned from R-4 to M-1 be and the same is hereby approved, to-wit:

BEG SW COR SE/4 N TO S R/W COGSWELL AVE SE ALG R/W 650' SW100' SE 75' NE 100' SE ALG R/W 635' S TO N R/W RR WLY ALG RRR/W TO S LN SEC W TO POB 7 ACC 31-16-4 as recorded in the Office of the Judge of Probate of St. Clair County, Alabama. Section 31, Township 16 South, Range 4 East. Parcel ID: 22-09-31-4-000-005-002.

Section 2. The Zoning District Map of the City of Pell City shall be amended by rezoning the aforesaid described parcel of land from R-4 to M-1.

Section 3. This Ordinance shall become effective upon approval, passage 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 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.

Councilman Jenkins 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 Jenkins, Henderson, Mitcham and Alverson. Nays: None. Council President McGowan declared the motion approved and the ordinance adopted.

Council President McGowan introduced **ORDINANCE NO. 2020 – 5318** regarding the rezoning of property located on Highway 231 South adjacent to Easonville Subdivision and owned by Metro Bank:

ORDINANCE NO. 2020 - 5318

**AN ORDINANCE AMENDING ORDINANCE NO. 79-516 TO REZONE
FROM R-A TO R-1 CERTAIN PROPERTY LOCATED WITHIN THE
CITY LIMITS OF THE CITY OF PELL CITY, ALABAMA**

WHEREAS, Metro Bank, the owner of the hereinafter described real estate situated in Pell City, St. Clair County, Alabama, did file with the Clerk of the City of Pell City, Alabama, a written petition duly signed by Metro Bank, requesting that said described property located within the corporate limits of the City of Pell City be rezoned from R-A (Residential Agricultural District) to R-1 (Low Density Residential District) under the provisions of section 11-52-70, *et seq*, Code of Alabama, 1975, as amended; and

WHEREAS, said petition did have attached thereto an accurate description of said territory proposed to be rezoned, together with a map of said property, all as is required under the provisions of said section 11-52-70, *et seq*; and

WHEREAS, the City Council of the City of Pell City has heretofore given notice of and convened a public hearing on July 13, 2020 pertaining to said rezoning; and has examined the aforesaid petition and exhibits attached thereto and finds that the said described lands are located within the corporate limits of the City of Pell City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELL CITY, ALABAMA, as follows:

Section 1. The petition of Metro Bank, the owner of the following described lands situated in the City of Pell City, Alabama, requesting that the same be rezoned from R-A to R-1 be and the same is hereby approved, to-wit:

RE-ZONING PARCEL ONE

A parcel in the Southeast Quarter of the Southeast Quarter of Section 23 and the Southwest Quarter of the Southwest Quarter of Section 24 in Township 17 South, Range 3 East in St. Clair County, Alabama and being more particularly described as follows: Commence at Southeast corner of Section 23, said point being the Point of Beginning and run South 89° 54' 00" East along the South line of Section 24 for 209.26 feet to a point on the Westerly right-of-way of U.S. Highway 231 (250' right-of-way), thence North 29° 49' 05" East along said right-of-way for 224.55 feet to the P.C. of a right-of-way curve to the left on Main Street (60' right-of-way), (Radius = 25.00', Delta = 89° 12' 55", Chord = North 14° 47' 20" West, 35.11 feet), thence run in a Northwesterly direction along the arc of said curve for 39.93 feet to the P.T., thence North 59° 23' 50" West along the Southwesterly right-of-way of Main Drive for 145.39 feet to right-of-way curve to the left on the Southerly right-of-way of Homestead Drive (60' right-of-way), Radius = 25.00', Delta = 87° 06' 25", Chord = South 77° 05' 20" West, 34.45 feet), thence run in a Southwesterly direction along the arc of said curve for 38.01 feet to the P.C.C., thence with a reverse curve to the right (Radius = 280.00', Delta = 39° 40' 22", Chord = South 53° 23' 40" West, 190.03 feet), thence run in a Southwesterly direction along the arc of said curve for 193.88 feet to a point on the West line of Section 24, thence (leaving right-of-way) run South 00° 13' 00" East along the West line of Section 24 for 181.41 feet to the Point of Beginning. The above containing 1.58 acres.

RE-ZONING PARCEL TWO

A parcel in the Southeast Quarter of the Southeast Quarter of Section 23 and the Southwest Quarter of the Southwest Quarter of Section 24, in Township 17 South, Range 3 East in St. Clair County, Alabama and being more particularly described as follows: Commence at the Southeast corner of Section 23 and run North 00° 13' 00" East along the East line of said Section for 454.18 feet to the Point of Beginning. thence North 00° 13' 00" East for 727.48 feet, thence South 89° 47' 00" East for 404.92 feet, thence South 27° 41' 40" East for 500.22 feet to a point on the Westerly right-of-way of U.S. Highway 231 (250' right-of-way), thence South 30° 35' 35" West along said Westerly right-of-way for 520.87 feet to the P.C. of right-of-way curve to the right on Main Drive (60' right-of-way), (Radius = 25.00', Delta = 90° 00' 35", Chord = South 75° 35' 55" West, 35.35 feet), thence run in a Southwesterly direction along the arc of said curve for 39.27 feet to the P.T., thence North 59° 23' 50" West along the Northerly right-of-way of Main Drive for 200.01 feet to the P.C. of a right-of-way curve to the right (Radius = 220.26', Delta = 36° 43' 20", Chord = North 41° 01' 30" West, 138.77 feet), Thence run in a Northwesterly direction along the arc of said curve for 141.17 feet, thence (leaving right-of-way) run South 67° 20' 00" West for 84.04 feet to the Point of Beginning. The above containing 9.77 acres.

Section 2. The Zoning District Map of the City of Pell City shall be amended by rezoning the aforesaid described parcel of land from R-A to R-1.

Section 3. This Ordinance shall become effective upon approval, passage and publication as required by law.

Councilman Alverson 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 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 Jenkins, Henderson, Mitcham and Alverson. Nays: None. Council President McGowan declared the motion approved and the ordinance adopted.

Council President McGowan introduced **ORDINANCE NO. 2020 – 5319** regarding the updates to the City of Pell City Building Codes and Fire Codes.

On motion of Councilman Alverson, seconded by Councilman Henderson, **ORDINANCE NO. 2020 – 5319** was tabled until the Council Meeting to be held on July 27, 2020. 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 Henderson, seconded by Councilman Alverson, the council unanimously approved an application received from TTT Mart, Inc. for a Retail Beer License (Off Premises Only) and a Retail Table Wine License (Off Premises Only) at 410 Martin Street North.

Council President McGowan introduced **ORDINANCE NO. 2020 – 5322** regarding the annexation of property located at Walrond Lane and owned by Terry and Cheryl Rich.

ORDINANCE NO. 2020 - 5322

AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE CITY OF PELL CITY, ALABAMA, TO INCLUDE ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA.

WHEREAS, all of the owners of the following described real estate situated in St. Clair

County, Alabama, to-wit:

A parcel of property located in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 5, Township 17 South, Range 4 East, being described as follows:

Commencing at an existing 1" open top pipe being the Southeast corner of the Southwest $\frac{1}{4}$, of the Southeast $\frac{1}{4}$ of Section 5, Township 17 South, Range 4 East, St. Clair County, Alabama; thence run N 88°34'00" W, along the South line of the said Southwest $\frac{1}{4}$ of the Southeast $\frac{3}{4}$, a distance of 673.36 feet to an existing $\frac{1}{2}$ " rebar; thence leaving said South line run N 1°59'28" E, a distance of 767.33 feet to the POINT OF BEGINNING of the herein described 2.83 Acre Parcel; thence continue N 1°59'28" E, a distance of 534.15 feet to an existing $\frac{5}{8}$ " rebar; thence run N 89°47'26" E, a distance of 137.00 feet to an existing fence post; thence run 76°29'01" E, distance of 99.39 feet to an existing $\frac{1}{2}$ " rebar; thence run S 1°58'16" W, a distance of 378.11 feet to an existing 'A' rebar; thence continue S 1°58'16" W, a distance of 127.63 feet to a point; thence S 88°37'05" W, a distance of 234.87 feet to THE POINT OF BEGINNING; said described Parcel containing 2.83 Acres, more or less.

SUBJECT TO A 60' INGRESS, EGRESS, & UTILITY EASEMENT

Commencing at an existing 1" open top pipe being the Southeast corner of the Southwest $\frac{1}{4}$. of the Southeast $\frac{1}{4}$. of Section 5, Township 17 South, Range 4 East, St. Clair County, Alabama; thence run N 88°34'00" W, along the South line of the said Southwest $\frac{1}{4}$. of the Southeast $\frac{1}{4}$, a distance of 673.36 feet to an existing $\frac{1}{2}$ " rebar;

thence leaving said South line run N 1°59'28" E, a distance of 1324.15 feet to an existing 5/8" rebar, said point being the Point of Beginning of the herein described 60 foot wide INGRESS, EGRESS & UTILITY EASEMENT being along and East of the following line; thence run S 1°59'28" W, a distance of 800.00 feet to the Point of Ending of the herein described INGRESS, EGRESS & UTILITY EASEMENT;

Basis of Bearings — DEED BEARING PER DEED BOOK 2012 PAGE 1598.
Also known as: St. Clair County Parcel tax ID # 29-03-05-0-003-018.004

Did file a written petition, duly signed by Terry and Cheryl Rich, requesting that said described territory in the petition be annexed to the City of Pell City and zoned R-A (Residential Agricultural District) under the provisions of § 11-42-21, *Code of Alabama*, 1975; and

WHEREAS, said petition did have attached thereto, marked "Exhibit A", an accurate description of said territory proposed to be annexed, together with a map of said territory showing its said relationship to the corporate limits of the City of Pell City, all as is required under the provisions of said § 11-42-21; and

WHEREAS, the City Council of the City of Pell City has heretofore examined the aforesaid petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the City of Pell City and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality, and that all of the owners of said described lands joined in said petition by affixing their signatures thereto.

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

Section 1. That said petition of all of the owners of the following described lands situated in St. Clair County, Alabama, to-wit:

A parcel of property located in a part of the W1/2 of NE1/4 of Section 9, Township 17 South, Range 4 East, being described as follows:

Commencing at an existing 1" open top pipe being the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 17 South, Range 4 East, St. Clair County, Alabama; thence run N 88°34'00" W, along the South line of the said Southwest 1/4 of the Southeast 1/4, a distance of 673.36 feet to an existing 1/2" rebar; thence leaving said South line run N 1°59'28" E, a distance of 767.33 feet to the POINT OF BEGINNING of the herein described 2.83 Acre Parcel; thence continue N 1°59'28" E, a distance of 534.15 feet to an existing 5/8" rebar; thence run N 89°47'26" E, a distance of 137.00 feet to an existing fence post; thence run 76°29'01" E, distance of 99.39 feet to an existing 1/2" rebar; thence run S 1°58'16" W, a distance of 378.11 feet to an existing "A" rebar; thence continue S 1°58'16" W, a distance of 127.63 feet to a point; thence S 88°37'05" W, a distance of 234.87 feet to THE POINT OF BEGINNING; said described Parcel containing 2.83 Acres, more or less.

SUBJECT TO A 60' INGRESS, EGRESS, & UTILITY EASEMENT

Commencing at an existing 1" open top pipe being the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 17 South, Range 4 East, St. Clair County, Alabama; thence run N 88°34'00" W, along the South line of the said Southwest 1/4 of the Southeast 1/4, a distance of 673.36 feet to an existing 1/2" rebar; thence leaving said South line run N 1°59'28" E, a distance of 1324.15 feet to an existing 5/8" rebar, said point being the Point of Beginning of the herein described 60 foot wide INGRESS, EGRESS & UTILITY EASEMENT being along and East of the following line; thence run S 1°59'28" W, a distance of 800.00 feet to the Point of Ending of the herein described INGRESS, EGRESS & UTILITY EASEMENT;

Basis of Bearings — DEED BEARING PER DEED BOOK 2012 PAGE 1598.
Also known as: St. Clair County Parcel tax ID # 29-03-05-0-003-018.004

Requesting that the same be annexed to the City of Pell City, Alabama, and zoned as R-A (Residential Agricultural District) be and the same is hereby approved.

Section 2. That the City Council of the City of Pell City does hereby assent to the annexation of the said described lands to the City of Pell City and the corporate limits of the City of Pell City be and the same are hereby extended and rearranged so as to embrace and include said described lands and that the same shall become a part of the corporate area of the City of Pell City, Alabama, and zoned as R-A upon the date of the publication of this Ordinance.

Section 3. That this Ordinance shall become effective upon passage, approval and

publication as required by law.

Councilman Jenkins 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 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 Henderson. 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.

Council President McGowan introduced **ORDINANCE NO. 2020 – 5323** regarding the annexation of .64 acres owned by Metro Bank adjacent to Easonville Subdivision Phase 2 on Highway 231 South with R-A (Residential Agricultural District) zoning.

ORDINANCE NO. 2020 - 5323

AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE CITY OF PELL CITY, ALABAMA, TO INCLUDE ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA.

WHEREAS, all of the owners of the following described real estate situated in St. Clair

County, Alabama, to-wit:

A parcel of property located in the Southeast Quarter of the Southeast Quarter of Section 23, Township 17 South, Range 3 East in St. Clair County, Alabama, being described as follows:

Commence at the Southeast corner of said Section and run thence North 00° 13' 00" East along the East line of said Section for 454.18 feet to the Point of Beginning. Thence continue North 00° 13' 00" East along said East line for 122.29 feet, thence South 89° 35' 00" West for 178.80 feet to a point on the East line of Lot 33 of Easonville Subdivision, said Subdivision being on record in the Office of the Judge of Probate of St. Clair County, Alabama in Map Book 2007, Page 6 and 7, thence South 00° 25' 00" East along the East line of Lot 33 for 74.16 feet, thence South 00° 15' 10" East along the East line of Lot 34 of said subdivision for 102.07 feet, thence North 89° 42' 00" East for 45.67 feet, thence North 67° 20' 00" East for 142.70 feet to the Point of Beginning. The above containing 0.64 acres.

Did file a written petition, duly signed by Metro Bank, requesting that said described territory in the petition be annexed to the City of Pell City and zoned R-A (Residential Agricultural District) under the provisions of § 11-42-21, *Code of Alabama*, 1975; and

WHEREAS, said petition did have attached thereto, marked "Exhibit A", an accurate description of said territory proposed to be annexed, together with a map of said territory showing its said relationship to the corporate limits of the City of Pell City, all as is required under the provisions of said § 11-42-21; and

WHEREAS, the City Council of the City of Pell City has heretofore examined the aforesaid petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the City of Pell City and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality, and that all of the owners of said described lands joined in said petition by affixing their signatures thereto.

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

Section 1. That said petition of all of the owners of the following described lands situated in St. Clair County, Alabama, to-wit:

A parcel of property located in the Southeast Quarter of the Southeast Quarter of Section 23, Township 17 South, Range 3 East in St. Clair County, Alabama, being described as follows:

Commence at the Southeast corner of said Section and run thence North 00° 13' 00" East along the East line of said Section for 454.18 feet to the Point of Beginning. Thence continue North 00° 13' 00" East along said East line for 122.29 feet, thence South 89° 35' 00" West for 178.80 feet to a point on the East line of Lot 33 of Easonville Subdivision, said Subdivision being on record in the Office of the Judge of Probate of St. Clair County, Alabama in Map Book 2007, Page 6 and 7, thence South 00° 25' 00" East along the East line of Lot 33 for 74.16 feet, thence South 00° 15' 10" East along the East line of Lot 34 of said subdivision for 102.07 feet, thence North 89° 42' 00" East for 45.67 feet, thence North 67° 20' 00" East for 142.70 feet to the Point of Beginning. The above containing 0.64 acres. (Parcel ID: 28-06-23-0-000-004.000)

Requesting that the same be annexed to the City of Pell City, Alabama, and zoned as R-A (Residential Agricultural District) be and the same is hereby approved.

Section 2. That the City Council of the City of Pell City does hereby assent to the annexation of the said described lands to the City of Pell City and the corporate limits of the City of Pell City be and the same are hereby extended and rearranged so as to embrace and include said described lands and that the same shall become a part of the corporate area of the City of Pell City, Alabama, and zoned as R-A (Residential Agricultural District) upon the date of the publication of this Ordinance.

Section 3. That this Ordinance shall become effective upon passage, approval and publication as required by law.

Councilman Alverson 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 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, Henderson, Mitcham and Alverson. Nays: None. Council President McGowan declared the motion approved and the ordinance adopted.

Council President McGowan introduced **ORDINANCE NO. 2020 – 5324** regarding the annexation of 0.13 acres owned by Metro Bank adjacent to Easonville Subdivision Phase 2 on Highway 231 South with R-A (Residential Agricultural District) zoning.

ORDINANCE NO. 2020 - 5324

AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE CITY OF PELL CITY, ALABAMA, TO INCLUDE ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA.

WHEREAS, all of the owners of the following described real estate situated in St. Clair

County, Alabama, to-wit:

A parcel of property located in the Southeast Quarter of the Southeast Quarter of Section 23, Township 17 South, Range 3 East in St. Clair County, Alabama, being described as follows:

Commence at the Southeast corner of said Section, said point being the Point of Beginning and run North 00° 13' 00" East along the East line of said Section for 181.41 feet to the South right-of-way of Homestead Drive (60' right-of-way), said point being a P.O.C on a right-of-way curve to the right (Radius = 280.00', Delta = 06° 47' 37", Chord = South 76° 37' 40" West, 33.18 feet), thence in a Southwesterly direction along the arc of said curve for 33.20 feet, thence (leaving right-of-way) run South 00° 16' 10" East for 173.91 feet to a point on the South line of said Section, thence North 89° 40'

35" East along the South line of said Section for 30.78 feet to the Point of Beginning.
The above containing 0.13 acres.

Did file a written petition, duly signed by Metro Bank, requesting that said described territory in the petition be annexed to the City of Pell City and zoned R-A (Residential Agricultural District) under the provisions of § 11-42-21, *Code of Alabama*, 1975; and

WHEREAS, said petition did have attached thereto, marked "Exhibit A", an accurate description of said territory proposed to be annexed, together with a map of said territory showing its said relationship to the corporate limits of the City of Pell City, all as is required under the provisions of said § 11-42-21; and

WHEREAS, the City Council of the City of Pell City has heretofore examined the aforesaid petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the City of Pell City and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality, and that all of the owners of said described lands joined in said petition by affixing their signatures thereto.

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

Section 1. That said petition of all of the owners of the following described lands situated in St. Clair County, Alabama, to-wit:

A parcel of property located in the Southeast Quarter of the Southeast Quarter of Section 23, Township 17 South, Range 3 East in St. Clair County, Alabama, being described as follows:

Commence at the Southeast corner of said Section, said point being the Point of Beginning and run North 00° 13' 00" East along the East line of said Section for 181.41 feet to the South right-of-way of Homestead Drive (60' right-of-way), said point being a P.O.C on a right-of-way curve to the right (Radius = 280.00', Delta = 06° 47' 37", Chord = South 76° 37' 40" West, 33.18 feet), thence in a Southwesterly direction along the arc of said curve for 33.20 feet, thence (leaving right-of-way) run South 00° 16' 10" East for 173.91 feet to a point on the South line of said Section, thence North 89° 40' 35" East along the South line of said Section for 30.78 feet to the Point of Beginning.
The above containing 0.13 acres. (Parcel ID: 28-06-23-0-000-004.062)

Requesting that the same be annexed to the City of Pell City, Alabama, and zoned as R-A (Residential Agricultural District) be and the same is hereby approved.

Section 2. That the City Council of the City of Pell City does hereby assent to the annexation of the said described lands to the City of Pell City and the corporate limits of the City of Pell City be and the same are hereby extended and rearranged so as to embrace and include said described lands and that the same shall become a part of the corporate area of the City of Pell City, Alabama, and zoned as R-A (Residential Agricultural District) upon the date of the publication of this Ordinance.

Section 3. That this Ordinance shall become effective upon passage, approval and publication as required by law.

Councilman Alverson 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 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 Henderson. 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 Jenkins, seconded by Councilman Henderson, the Council unanimously approved **RESOLUTION NO. 2020 – 5325** regarding a request from QT

(QuickTrip) for a Final Plat approval of a 1-lot development located on Mineral Springs Road in Eden.

On motion of Councilman Mitcham, seconded by Councilman Henderson, the Council unanimously approved **RESOLUTION NO. 2020 – 5326** regarding a request for a Final Plat approval of the Bluffs Subdivision located off of Ranch Marina Road and owned by Robbie Robinson.

On motion of Councilman Alverson, seconded by Councilman Henderson, the Council unanimously approved **RESOLUTION NO. 2020 – 5327** regarding the resurvey of the Final Plat of Lots 2 and 3 in Harmon Subdivision at 6105 Harmon Drive and owned by Kim and Howard Hall.

On motion of Councilman Jenkins, seconded by Councilman Mitcham, the Council unanimously approved a request from James Hadaway, Utilities Manager, regarding the pay grade for a WasteWater Operator Grade IV in the amount of \$23.32 (Step 14).

On motion of Councilman Henderson, seconded by Councilman Mitcham, the Council unanimously approved **RESOLUTION NO. 2020 – 5328** regarding the appointment of the Election Manager and Absentee Election Manager for the 2020 Municipal Election.

On motion of Councilman Jenkins, seconded by Councilman Mitcham, the Council unanimously tabled **RESOLUTION NO. 2020 – 5329** regarding the agreement with St. Clair County for the housing of inmates until the next Council meeting to be held on July 27, 2020.

On motion of Councilman Jenkins, seconded by Councilman Alverson, the Council unanimously approved **RESOLUTION NO. 2020 – 5330** setting a Public Hearing for August 24th, 2020 at 7:00 p.m. for grass/weed nuisance cases.

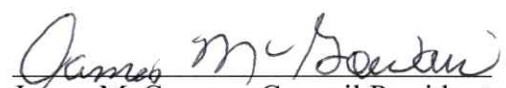
On motion of Councilman Alverson, seconded by Councilman Henderson, the Council unanimously approved **RESOLUTION NO. 2020 – 5331** awarding the bid to Taylor Corporation on the WWTP improvements through the CDBG Grant Program.

On motion of Councilman Alverson, seconded by Councilman Mitcham, the Council unanimously tabled **RESOLUTION NO. 2020 – 5332** regarding Change Order #1 on the WWTP improvements until the contractor is approved by ADECA.


On motion of Councilman Mitcham, seconded by Councilman Alverson, the Council unanimously approved the purchase of equipment in the amount of \$46,000 from Evoqua Water Technologies, a sole source, for the WWTP.

On motion of Councilman Henderson, seconded by Councilman Mitcham, the Council unanimously approved **RESOLUTION NO. 2020 – 5333** approving the Coronavirus Relief Fund (CRF) Drawdown Request #2.

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