

STATE OF ALABAMA  
ST. CLAIR COUNTY

The City Council of the City of Pell City met in a regularly scheduled work session at City Hall at 5:30 p.m. on Monday, March 8, 2021. Present were Council President Alverson, Councilmembers Jay Jenkins, Ivi McDaniel, Blaine Henderson, and Jason Mitcham. Those present constituting the entirety of the Council, Council President Alverson opened the meeting for discussion.

The invocation was led by Councilmember Jay Jenkins

The pledge to the American Flag was led by Mayor Bill Pruitt.

The City Clerk had roll call for attendance.

There were no comments regarding the bills on file.

There were no comments on the minutes of the regular council meeting held on February 22, 2021.

Jay Headrick addressed the Council regarding the purchase of server and switch equipment from the CIP Budget. He advised the City was receiving a cost savings of \$17,260 compared to the original quote that was received. Mr. Headrick advised the items would be purchased through InCare using the NCPA pricing cooperative.

City Manager Brian Muenger addressed the Council regarding the rezoning of certain properties owned by St. Clair County from R3 (High-Density Residential) to B2. Mr. Muenger advised state law specifically states the jail was classified as a governmental function and the City Zoning Ordinance was not applicable.

Mr. Muenger addressed the Council regarding the grass/weed nuisance assessments. He advised the property owners had been noticed per the ordinance. Mr. Muenger advised the liens if approved, would be assessed against the properties.

Council President Alverson addressed the Council regarding a voting delegate for the Alabama League of Municipalities Annual Budget Meeting. Councilmember McDaniel advised she would attend the budget meeting and would be the voting delegate to represent the City of Pell City.

Mr. Muenger addressed the Council regarding the bids received for the 2021 Cargo Van to be used in the Park and Rec Department. He advised the bids were issued with a base bid for two vans and an alternate one for one van. Mr. Muenger stated that Chief Irwin had decided to purchase a larger van for the Animal Control Center. He recommended the Council award the bid for one van to Town and Country Ford.

Mr. Muenger addressed the Council regarding the final plat for Horizons Subdivision Phase 3, Sector 1. He advised a bond would be received in a total amount of \$147,875 for all outstanding items. Mr. Joe Paul Abbott was present and stated the request was for final plat approval.

Mr. Muenger addressed the Council regarding the annexation and R4 zoning of property located on the Northside of Roberts Mill Pond Road (Parcel No: 23-08-33-0-001-006.000). He advised the sale of the property was contingent upon annexation and R4 zoning. Mr. Muenger confirmed the request received split approval from the planning commission.

Mr. Muenger addressed the Council regarding lease adjustments for the Social Services Building. He advised the previous lease referenced the conference area of the building as shared space. Mr. Muenger stated community action and the health clinic required more space and confirmed the love pantry did not require the conference room.

City Manager Comments: None.

Mayor Comments: Mayor Pruitt thanked the Council for their action concerning Tianeptine.

Council President Jud Alverson thanked the Council for being involved concerning Tianeptine and for their leadership. He thanked Councilmember Jason Mitcham for leading the meeting in his absence.

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, March 8, 2021. Present were Council President Jud Alverson, Councilmembers Jay Jenkins, Ivi McDaniel, Blaine Henderson, and Jason Mitcham. Council President Alverson was absent. Those present constituting an entirety of the Council, the following business was transacted:

The City Clerk had roll call for attendance.

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved the agenda as presented.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved the payment of bills on file.

On motion of Councilmember Mitcham, seconded by Councilmember Jenkins, the Council unanimously approved the minutes of the regularly scheduled council meeting held on March 8, 2021.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2021 – 5470** authorizing the purchase of server and switch equipment from the 2021 Capital Improvement Plan.

Now was the time set aside for a Public Hearing to rezone the following parcels owned by St. Clair County from R3 to B2:

- 28-01-01-2-003-029.000
- 28-01-01-2-003-030.000
- 28-01-01-2-003-033.000
- 28-01-01-2-003-034.000
- 28-01-01-2-003-037.000
- 28-01-01-2-004-046.000
- 28-01-01-2-004-045.000
- 28-01-01-2-004-042.000

Council President Alverson opened the Public Hearing at 7:01 p.m. There being no one present in favor or opposition of the rezoning, Council President Alverson closed the Public Hearing at 7:02 p.m.

Council President Alverson introduced the following ordinance:

**ORDINANCE NO. 2021 - 5471**

**AN ORDINANCE AMENDING ORDINANCE NO. 79-516 TO REZONE FROM R-3 TO B-2 CERTAIN PROPERTY LOCATED WITHIN THE CITY LIMITS OF THE CITY OF PELL CITY, ALABAMA**

**WHEREAS**, St. Clair County, 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 St. Clair County, requesting that said described property located within the corporate limits of the City of Pell City be rezoned from R-3 (Medium Density Residential District) to B-2 (General Business 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 March 8, 2021, 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 St. Clair County, the owner of the following described lands situated in the City of Pell City, Alabama, requesting that the same be rezoned from R-3 to B-2 be and the same is hereby approved, to-wit:

Tax Parcel Number 28-01-01-2-003-029.000, Lots 13 and 14 of Block 22, according to the Map of Pell City as recorded in the Office of the Judge of Probate of St. Clair County, Alabama.  
Tax Parcel Number 28-01-01-2-003-030.000, Lots 15 and 16 of Block 22, according to the Map of Pell City as recorded in the Office of the Judge of Probate of St. Clair County, Alabama.  
Tax Parcel Number 28-01-01-2-003-033.000, Lots 17 and 18 of Block 22, according to the Map of Pell City as recorded in the Office of the Judge of Probate of St. Clair County, Alabama.  
Tax Parcel Number 28-01-01-2-003-034.000, Lots 19, 20, 21, and 22 of Block 22, according to the Map of Pell City as recorded in the Office of the Judge of Probate of St. Clair County, Alabama.  
Tax Parcel Number 28-01-01-2-003-037.000, Lots 23 and 24 of Block 22, according to the Map of Pell City as recorded in the Office of the Judge of Probate of St. Clair County, Alabama.  
Tax Parcel Number 28-01-01-2-004-046.000, Lots 1 and 2 of Block 25, according to the Map of Pell City as recorded in the Office of the Judge of Probate of St. Clair County, Alabama.  
Tax Parcel Number 28-01-01-2-004-045.000, Lots 3 and 4 of Block 25, according to the Map of Pell City as recorded in the Office of the Judge of Probate of St. Clair County, Alabama.  
Tax Parcel Number 28-01-01-2-004-042.000, Lots 5 and 6 of Block 25, according to the Map of Pell City as recorded in the Office of the Judge of Probate of St. Clair County, Alabama.

According to the survey by Derrol D. Luker, License No. 23006, dated January 12, 2021.

**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-3 to B-2.

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

Councilmember 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 Councilmember Mitcham. On roll call vote those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved.

Councilmember Mitcham then moved that said ordinance be now placed upon its final passage and adopted. The motion was seconded by Councilmember McDaniel. 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. On roll call vote those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved and the ordinance adopted.

Now was the time set aside for a Public Hearing to assess the abatements costs for the following properties:

- |                                     |                        |
|-------------------------------------|------------------------|
| ○ 3305 Stemley Bridge Road          | 29-04-19-1-000-008.000 |
| ○ 2717 Dellwood Drive               | 29-03-06-3-001-035.000 |
|                                     | 29-03-06-3-001-036.000 |
| ○ 3312 Tyler Street                 | 22-09-31-3-001-002.009 |
| ○ 745 Mineral Springs Road          | 23-08-34-0-001-017.000 |
| ○ 1034 1 <sup>st</sup> Avenue South | 28-01-02-1-002-040.001 |
| ○ 103 Holiday Estates Drive         | 28-06-13-4-001-030.001 |

Council President Alverson opened the Public Hearing at 7:03 p.m. There being no one present in favor or opposition, Council President Alverson closed the Public Hearing at 7:04 p.m.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved the following resolutions:

- |                                     |                          |
|-------------------------------------|--------------------------|
| ○ <b>RESOLUTION NO. 2021 – 5472</b> | 3305 Stemley Bridge Road |
| ○ <b>RESOLUTION NO. 2021 – 5473</b> | 2717 Dellwood Drive      |

- **RESOLUTION NO. 2021 – 5474** 3312 Tyler Street
- **RESOLUTION NO. 2021 – 5475** 745 Mineral Springs Road
- **RESOLUTION NO. 2021 – 5476** 1034 1<sup>st</sup> Avenue South
- **RESOLUTION NO. 2021 – 5477** 103 Holiday Estates Drive

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2021 – 5478** awarding the bid for the purchase of a 2021 Cargo Van to Town & Country Ford of Pell City.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2021 – 5479** approving the final plat for Horizons Phase 3, Sector 1.

Council President Alverson introduced the following Ordinance:

**ORDINANCE NO. 2021 - 5480**

**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:

Commence at a bolt in place being the Northwest corner of the Northeast one-fourth of the Southeast one-fourth of Section 33, Township 16 South, Range 3 East, St. Clair County, Alabama, said point being the point of beginning. From this beginning point proceed North 89° 05' 21" East along the North boundary of said quarter-quarter section for a distance of 1324.58 feet to a ½" crimp top pipe in place being the Northeast corner of said quarter-quarter section; thence proceed South 00° 39' 43" East along the East boundary of said quarter-quarter section for a distance of 1254.59 feet to its point of intersection with the Northwesterly right-of-way of Roberts Mill Pond Road; thence proceed Southwesterly along the Northwesterly right-of-way of said road and along the curvature of a concave curve right having a delta angle of 15° 37' 30" and a radius of 813.71 feet for a chord bearing and distance of South 41° 37' 00" West, 221.22 feet to the P. T. of said curve; thence proceed South 49° 25' 45" West along the Northwesterly right-of-way of said road for a distance of 802.29 feet to the P. C. of a concave curve left having a delta angle of 02° 41' 48" and a radius of 2448.54 feet; thence proceed Southwesterly along the Northwesterly right-of-way of said road and along the curvature of said curve for a chord bearing and distance of South 48° 04' 51" West, 115.23 feet to the P. T. of said curve; thence proceed South 46° 43' 57" West along the Northwesterly right-of-way of said road for a distance of 113.91 feet to the P. C. of a concave curve right having a delta angle of 14° 30' 38" and a radius of 976.58 feet; thence proceed Southwesterly along the Northwesterly right-of-way of said road and along the curvature of said curve for a chord bearing and distance of South 53° 59' 16" West, 246.67 feet to the P. T. of said curve; thence proceed South 61° 14' 35" West along the Northwesterly right-of-way of said road for a distance of 198.46 feet to its point of intersection with the West boundary of the Southeast one-fourth of the Southeast one-fourth of said Section 33; thence proceed North 00° 17' 59" West along the West boundary of said Southeast one-fourth of the Southeast one-fourth for a distance of 253.04 feet to a 5/8" rebar in place (Luker); thence proceed North 00° 38' 34" West along the West boundary of said Southeast one-fourth of the Southeast one-fourth for a distance of 286.08 feet to a 5/8" rebar in place (Luker); thence proceed North 01° 09' 19" West along the West boundary of said Southeast one-fourth of the Southeast one-fourth and along the West boundary of the Northeast one-fourth of the Southeast one-fourth for a distance of 1777.47 feet to the point of beginning.

Did file a written petition, duly signed by Ben Watson with InSite Engineering, LLC on behalf of Metro Bank, requesting that said described territory in the petition be annexed to the City of Pell City and zoned R-4 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:

Commence at a bolt in place being the Northwest corner of the Northeast one-fourth of the Southeast one-fourth of Section 33, Township 16 South, Range 3 East, St. Clair County, Alabama, said point being the point of beginning. From this beginning point proceed North 89° 05' 21" East along the North boundary of said quarter-quarter section for a distance of 1324.58 feet to a ½" crimp top pipe in place being the Northeast corner of said quarter-quarter section; thence proceed South 00° 39' 43" East along the East boundary of said quarter-quarter section for a distance of 1254.59 feet to its point of intersection with the Northwesterly right-of-way of Roberts Mill Pond Road; thence proceed Southwesterly along the Northwesterly right-of-way of said road and along the curvature of a concave curve right having a delta angle of 15° 37' 30" and a radius of 813.71 feet for a chord bearing and distance of South 41° 37' 00" West, 221.22 feet to the P. T. of said curve; thence proceed South 49° 25' 45" West along the Northwesterly right-of-way of said road for a distance of 802.29 feet to the P. C. of a concave curve left having a delta angle of 02° 41' 48" and a radius of 2448.54 feet; thence proceed Southwesterly along the Northwesterly right-of-way of said road and along the curvature of said curve for a chord bearing and distance of South 48° 04' 51" West, 115.23 feet to the P. T. of said curve; thence proceed South 46° 43' 57" West along the Northwesterly right-of-way of said road for a distance of 113.91 feet to the P. C. of a concave curve right having a delta angle of 14° 30' 38" and a radius of 976.58 feet; thence proceed Southwesterly along the Northwesterly right-of-way of said road and along the curvature of said curve for a chord bearing and distance of South 53° 59' 16" West, 246.67 feet to the P. T. of said curve; thence proceed South 61° 14' 35" West along the Northwesterly right-of-way of said road for a distance of 198.46 feet to its point of intersection with the West boundary of the Southeast one-fourth of the Southeast one-fourth of said Section 33; thence proceed North 00° 17' 59" West along the West boundary of said Southeast one-fourth of the Southeast one-fourth for a distance of 253.04 feet to a 5/8" rebar in place (Luker); thence proceed North 00° 38' 34" West along the West boundary of said Southeast one-fourth of the Southeast one-fourth for a distance of 286.08 feet to a 5/8" rebar in place (Luker); thence proceed North 01° 09' 19" West along the West boundary of said Southeast one-fourth of the Southeast one-fourth and along the West boundary of the Northeast one-fourth of the Southeast one-fourth for a distance of 1777.47 feet to the point of beginning.

Requesting that the same be annexed into the City of Pell City, Alabama, and zoned as R-4 be and the same is hereby approved contingent upon single-family detached dwellings only being constructed.

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-4 contingent upon single-family detached dwellings only being constructed 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.

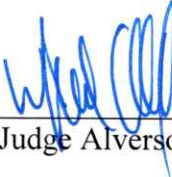
Councilmember Jenkins moved that all rules and regulations, which unless suspended would prevent the immediate consideration and adoption of said ordinance, be suspended and that unanimous consent to the immediate consideration and adoption of said ordinance be given. The motion was seconded by Councilmember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

Councilmember Mitcham then moved that said ordinance be now placed upon its final passage and adopted. The motion was seconded by Councilmember 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. On roll call vote those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved and the ordinance adopted.

On motion of Councilmember Henderson, seconded by Councilmember Jenkins, the Council unanimously approved lease adjustments to the following leases:

- Christian Love Pantry
- St. Clair Community Health Clinic
- Community Action Agency

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



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W. Judge Alverson - Council President

ATTEST:



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Sheree D. Pruitt - City Clerk