

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, September 27, 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 Councilmember Blaine Henderson.

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 September 13, 2021.

Casey Cambron with Lakeside Live addressed the Council regarding the event to be held on November 13, 2021. Mr. Cambron advised they would like to have alcohol sales at the event served by Caribe. He provided an update regarding the location.

City Manager Brian Muenger addressed Council regarding the assessment of abatements costs to the certain properties. Mr. Muenger advised the street department had abated the properties and the costs were calculated and ready to be assessed. Mr. Muenger confirmed the costs were calculated based from the FEMA rate schedule. The properties in question are listed below:

- 220 Hazelwood Drive
- 1034 1st Avenue South
- Property Located on Deerwood Circle

City Manager Brian Muenger addressed the Council regarding setting a Public Hearing for properties that were abated by the street department. He advised the costs had been calculated per the FEMA schedule and confirmed a Public Hearing would need to be set regarding the assessment.

City Manager Brian Muenger addressed the Council regarding the annexation of property located on Roberts Mill Pond Road with a pre-zoning of RA. Mr. Muenger advised the initial request was for a pre-zoning of R-4, but confirmed the applicant changed the request to R-A. Mr. Muenger confirmed with Mr. Jenkins that the City did not have a confirmed number of housing units, but advised the original preliminary plat was approximately 276 lots.

Police Chief Paul Irwin addressed the Council regarding the purchase of body cameras. Chief Irwin gave a presentation for the cameras and confirmed with Mr. Muenger the City would receive approximately 30 tasers and body cameras. Mr. Muenger confirmed that some of the funds would be pulled from the existing funds in the budget and advised the proposed budget had unused equipment funds. Mr. Muenger advised the Police Department had also requested a \$60,000 grant.

James Hadaway, Utility Supervisor, addressed the Council regarding a proposed incentive for some employees in his department to obtain a CDL. Mr. Hadaway proposed a one step raise for those that voluntarily take the test and obtain their CDL. Mr. Muenger advised the proposed raise would be commensurate with other departments where CDLs are required.

City Manager Brian Muenger addressed the Council regarding the Splash Pad revenue for the year. Mr. Muenger advised that the splash pad was approaching the 10 year span for fixtures and the City would need to reinvest in the coming years. Bubba Edge, Park and Rec Director advised the expenses had increased for items such as chemicals. He advised the Splash Pad was very busy during the summer.

City Manager Brian Muenger addressed the Council regarding the Budget for FY 21/22. He advised a full copy was in the packet and confirmed there was limited modifications. Mr. Muenger confirmed there was a 3% COLA included as well as the normal applicable step raises and confirmed the City would absorb the increase of the individual and family care coverage. Mr. Muenger advised the only late application received was from the ARC. He advised the ARC requested a \$10,000 appropriation which was given a place holder of \$5,000 for the budget. Mr. Muenger confirmed it was subject to changed based on departmental needs. Ms. St. James advised there was a surplus and the City was able to transfer additional funds for the CIP. Mr. Muenger confirmed the final number did not include any of the COVID related funds which were received.

City Manager Comments: Mr. Muenger expressed his appreciation to Ms. St. James and the departments for their work on the budget.

Mayor Comments: Mayor thanked the department heads and pointed out his specific appreciation for Chief Irwin for going above and beyond for Ms. McConnelly.

The City Council of the City of Pell City met in a regular scheduled council meeting at City Hall at 7:00 p.m. on Monday, September 27, 2021. Present were Council President Jud Alverson, Councilmembers Jay Jenkins, Blaine Henderson, and Jason Mitcham. Councilmember McDaniel 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 Councilmember Jenkins, seconded by Councilmember Mitcham, 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 Henderson, seconded by Councilmember Jenkins, the Council unanimously approved the minutes of the regularly scheduled council meeting held on September 13, 2021.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2021 – 5561** authorizing an amended User Agreement with Casey Cambron for Lakefest Live.

Now was the time set aside for a Public Hearing to consider assess the abatement costs for each property.

- 220 Hazelwood Drive
- 1034 1st Avenue South
- Property Located on Deerwood Circle

Council President Alverson opened the Public Hearing at 7:02 p.m., there being no one present in opposition, the Public Hearing was closed at 7:03 p.m.

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

- | | |
|-------------------------------------|-----------------------------------|
| ○ RESOLUTION NO. 2021 – 5562 | 220 Hazelwood Drive |
| ○ RESOLUTION NO. 2021 – 5563 | 1034 1 st Avenue South |
| ○ RESOLUTION NO. 2021 – 5564 | Property Located on Deerwood Cir. |

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved setting a Public Hearing on October 11, 2021, at 7:00 p.m. to assess the costs of abatement to the following properties:

- Land on 23rd Street North
- 23-07-36-2-001-007.000

- 1212 23rd Street North 23-07-36-2-001-006.000
- 1206 23rd Street North 23-07-36-2-001-008.000
- 3803 Stemley Bridge Road 29-04-19-1-000-025.004
- Property on 7th Avenue North 23-07-36-4-001-031.005
- 23-07-36-4-001-031.002

Council President Alverson introduced the following Ordinance regarding the annexation of property located on Roberts Mill Pond Road with RA Zoning:

ORDINANCE NO. 2021 - 5565

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:

Commencing at a 5/8" rebar set (Gilbert 17507) set at the NE corner of NW 1/4 of the SE 1/4 of Section 33, Township 16 South, Range 2 East, Saint Clair County Alabama, being the POINT OF BEGINNING; thence S 0°10'12" W along the east line of the NW 1/4 of the SE 1/4 for 1314.06' to a 1" crimped iron found at the SE corner of said 1/4-1/4; thence S 0°03'30" E along the east line of the SW 1/4 of the SE 1/4 for 250.00' to a 5/8" rebar set (Gilbert 17507); thence S 89°30'07" W 200.02' to a 5/8" rebar set (Gilbert 17507); thence S 0°14'42" W 474.02' to a 5/8" rebar set (Gilbert 17507); thence S 57°37'38" W 482.23' to a 5/8" rebar set (Gilbert 17507); thence S 32°22'22" E 340.00' to a 5/8" rebar set (Gilbert 17507); thence S 57°37'38" W along the northwesterly right of way line of Roberts Mill Pond Road 220.73' to a 5/8" rebar set (Gilbert 17507) at the point of curvature of a curve to the left, having a radius of 1100.00' a central angle of 52°44'16", and a chord of 977.13' bearing N 45°52'36" W; thence North along said curve and the northeasterly right of way line of Norfolk Southern Railroad 1012.49' to the point of curvature of a curve to the left, having a radius of 2192.72' a central angle of 36°18'10", and a chord of 1366.19' bearing S 89°06'17" W; thence West along said curve and line 1389.32'; thence N 0°39'19" E along the west line of the SE 1/4 of the SW 1/4 for 705.00' to the NW corner of said 1/4-1/4; thence N 89°24'33" E 1340.73' to the NE corner of said 1/4-1/4; thence N 0°31'08" E 1314.12' to the NW corner of the NW 1/4 of the SE 1/4; thence N 89°29'59" E 1324.22' to the POINT OF BEGINNING; said described tract containing 84.8 Acres, more or less.

Did file a written petition, duly signed by Brett Owens acting as applicant for Rachel A. Bolton, requesting that said described territory in the petition be annexed to the City of Pell City and zoned R-A (Residential Agriculture 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:

Commencing at a 5/8" rebar set (Gilbert 17507) set at the NE corner of NW 1/4 of the SE 1/4 of Section 33, Township 16 South, Range 2 East, Saint Clair County Alabama, being the POINT OF BEGINNING; thence S 0°10'12" W along the east line of the NW 1/4 of the SE 1/4 for 1314.06' to a 1" crimped iron found at the SE corner of said 1/4-1/4; thence S 0°03'30" E along the east line of the SW 1/4 of the SE 1/4 for 250.00' to a 5/8" rebar set (Gilbert 17507); thence S 89°30'07" W 200.02' to a 5/8" rebar set (Gilbert 17507); thence S 0°14'42" W 474.02' to a 5/8" rebar set (Gilbert 17507); thence S 57°37'38" W 482.23' to a 5/8" rebar set (Gilbert 17507); thence S 32°22'22" E 340.00' to a 5/8" rebar set (Gilbert 17507); thence S 57°37'38" W along the northwesterly right of way line of Roberts Mill Pond Road 220.73' to a 5/8" rebar set (Gilbert 17507) at the point of curvature of a curve to the left, having a radius of 1100.00' a central angle of 52°44'16", and a chord of 977.13' bearing N 45°52'36" W; thence North along said curve and the northeasterly right of way line of Norfolk Southern Railroad 1012.49' to the point of curvature of a curve to the left, having a radius of 2192.72' a central angle of 36°18'10", and a chord of 1366.19' bearing S 89°06'17" W; thence West along said curve and line 1389.32'; thence N 0°39'19" E

along the west line of the SE 1/4 of the SW 1/4 for 705.00' to the NW corner of said 1/4-1/4; thence N 89°24'33" E 1340.73' to the NE corner of said 1/4-1/4; thence N 0°31'08" E 1314.12' to the NW corner of the NW 1/4 of the SE 1/4; thence N 89°29'59" E 1324.22' to the POINT OF BEGINNING; said described tract containing 84.8 Acres, more or less.

Requesting that the same be annexed to the City of Pell City, Alabama, and zoned as R-A (Residential Agriculture 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 Agriculture 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.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2021 – 5566** authorizing an agreement with AXON for the purchase of tasers and body cameras for the Police Department.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved a one step pay increase for the employees in the Utility Department that obtain a CDL.

Council President Alverson introduced the following Resolution:

RESOLUTION NO. 2021 - 5567

A RESOLUTION ADOPTING THE REVISED ANNUAL BUDGET FOR FISCAL YEAR 2020-2021 AND THE INITIAL ANNUAL BUDGET FOR FISCAL YEAR 2021-2022 OF THE CITY OF PELL CITY, ALABAMA

WHEREAS, the City Manager and other members of the City Administration have prepared and submitted to the City Council of the City of Pell City a proposed revised annual budget for the City for Fiscal Year 2020-2021 and a proposed initial annual budget for Fiscal Year 2021-2022, which budgets are attached collectively hereto as Exhibit A and expressly incorporated herein by reference; and

WHEREAS, the City Council has determined that it is wise, prudent, and in the best interests of the citizens of the City to adopt the revised budget as proposed for the City for Fiscal Year 2020-2021 and the proposed initial annual budget for Fiscal Year 2021-2022, as attached collectively hereto as Exhibit A, and to authorize the expenditures set forth in said budgets as described therein; and

WHEREAS, the City Council has determined that the expenditures set forth in the revised annual budget for Fiscal Year 2020-2021 and the expenditures set forth in the proposed initial annual budget for Fiscal Year 2021-2022 will serve a public purpose by promoting the public health, safety, morals, security, prosperity, contentment, and general welfare of the community.

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

1. That the revised annual budget of the City's expenses for Fiscal Year 2020-2021, attached hereto as Exhibit A and expressly incorporated herein by reference, be, and the same hereby is, approved and adopted as the final Annual Budget of the City of Pell City, Alabama for Fiscal Year 2021-2022 for the purpose of financing the operations and activities of the City of Pell City, Alabama, during the Fiscal Year beginning October 1, 2020, and ending September 30, 2021.

2. That the proposed initial annual budget of the City's expenses for Fiscal Year 2021-2022, attached hereto as Exhibit A and expressly incorporated herein by reference, be, and the same hereby is, approved and adopted as the initial Annual Budget of the City of Pell City, Alabama for Fiscal Year 2021-2022 for the purpose of financing the operations and activities of the City of Pell City, Alabama, during the Fiscal Year beginning October 1, 2021, and ending September 30, 2022.

3. That the expenditures set forth in the budget for Fiscal Year 2020-2021 and Fiscal Year 2021-2022 (collectively the "Budget") will serve a public purpose by promoting the public health, safety, morals, security, prosperity, contentment, and general welfare of the community.

4. That the City Manager be, and is hereby, authorized to approve the expenditures set forth in the Budget for the purposes indicated therein, provided, however that all written contracts that require execution on behalf of the City and any expenditures that exceed Fifteen Thousand and No/ 100 Dollars (\$15,000.00) shall be submitted to the City Council for additional approval.

5. That, notwithstanding the foregoing, the City Manager be, and is hereby, authorized to approve all expenditures for Fiscal Year 2020-2021 and Fiscal Year 2021-2022 made pursuant to contracts approved by the City Council through the Alabama Competitive Bid Law and Public Works Bid Law.

6. That employees are eligible for health insurance through the Local Government Health Insurance Program. All health insurance premiums, which include family and single coverage, for Calendar Year 2022 will increase by 5.9%. The City will pay a monthly premium of \$551.00 for eligible employees with single coverage and a monthly premium of \$1,010.00 for eligible employees with family coverage. The eligible employees who have selected family coverage will be responsible for a monthly premium of \$337.00 which will be deducted through bi-weekly payroll in the amount of \$168.50.

7. That all employees shall receive a one-time cost of living raise of 3% on the City of Pell City General Compensation Plan and the Public Safety Compensation Plan effective as of September 21, 2021.

8. That all eligible employees shall receive a one-step increase on the City of Pell City General Compensation Plan and the Public Safety Compensation Plan effective as of September 21, 2021, provided, however, that individuals employed or promoted by the City of Pell City as of September 1, 2021, shall not be eligible for the one-step increase provided herein.

9. That the City Manager and City Treasurer be, and they hereby are, authorized to expend such amounts as consistent with the Budget to honor contracts and obligations that are in effect as of the date of this Ordinance and which are properly adopted by the City Council in the 2021-2022 Fiscal Year, and that they are directed to expend said sums in a manner as to satisfy the City's obligations to timely pay said commitments. That the City Treasurer be, and hereby is, authorized to make the appropriate disbursements for the expenditures set forth in the Budget upon receipt of the necessary approval from the City Manager.

Councilmember Mitcham moved that all rules and regulations, which unless suspended would prevent the immediate consideration and adoption of said resolution, be suspended and that unanimous consent to the immediate consideration and adoption of said resolution be given. The motion was seconded by Councilmember McDaniel. 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 resolution 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 resolution, 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 resolution adopted.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved changing the December 27, 2021 Council Meeting date to take place on December 28, 2021 at 7:00 p.m.

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



W. Judge Alverson - Council President

ATTEST:



Sheree D. Pruitt - City Clerk