

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, July 25, 2022. 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 Reverend Donald Gover.

The pledge to the American Flag was led by Councilmember Jason Mitcham.

The City Clerk had roll call for attendance.

There were no comments regarding the bills on file.

There were no comments regarding the Public Hearing set for 6:00 p.m. regarding the Annexation with R4 Zoning of certain property located on Florida Road.

- 22-09-30-0-003-005.001
- 22-09-30-0-003-005.000
- 22-09-30-0-003-002.000

City Clerk Sheree Pruitt addressed the Council regarding the Public Hearing to consider assessing grass/weed nuisance abatement costs to the following properties:

- | | |
|-------------------------------------|----------------------------------|
| ○ 3103 6 th Avenue North | Parcel #: 22-09-31-3-001-033.000 |
| ○ 3305 Stemley Bridge Road | Parcel #: 29-04-19-1-000-008.000 |
| ○ 3312 Tyler Street | Parcel #: 22-09-31-3-001-002.000 |
| ○ 1034 1 st Avenue South | Parcel #: 28-01-02-1-002-040.001 |

Ms. Pruitt advised this was an item tabled from the July 11th, 2022 Council Meeting to obtain clarification regarding the inmate hourly rate. She confirmed the rate was correct and all were ready to be assessed to the properties.

City Clerk Sheree Pruitt addressed the Council regarding grass/weed nuisances that were set for Public Hearing on September 12, 2022. She advised that the properties listed were in violation of Ordinance 2018 – 4920 and recommended the properties be set for a Public Hearing.

City Attorney John Rea addressed the Council regarding the Assignment and Assumption Agreement with Noon Pell City Peak, LLC. He advised that under the existing development agreement Noon was allowed to assign portions of the development to entities they owned. Mr. Rea confirmed it was necessary for the City to acknowledge the assignment.

City Clerk Sheree Pruitt addressed the Council regarding an amended Hazard Mitigation Plan. Ms. Pruitt advised that it was required that the plan name be changed to Hazard Mitigation Plan for AEA Division G Counties. She confirmed all other items would remain the same.

City Manager Brian Muenger addressed the Council regarding an agreement with the Alabama Department of Transportation. Mr. Muenger advised the project was ALDOT funded and stated that the City agreed not to allow individuals to build on ramps located within the City. He confirmed there was no cost to the City.

City Manager Brian Muenger addressed the Council regarding updated Utility Regulations. He advised the goal is to have a consolidated set of continuing regulations. Byron Woods City

Engineer presented the proposed changes to the Council and advised the same was provided in the packet for the Council.

City Manager Brian Muenger addressed the Council regarding the Opioid Settlement Agreements with Johnson and Johnson (Janssen and McKesson). Mr. Muenger advised the same stipulation for the funds to be received are the same as the previously approved agreement. City Attorney John Rea advised the State had taken over and largely championed the litigation and stated there were a handful of non-participants. He confirmed that all conversations regarding distribution would be with the State.

Civic Center Director Bubba Edge addressed the Council regarding the change in hours. He advised that several requests had been received to open the Civic Center at 5:00 a.m. Monday through Friday. He confirmed there would be no extra cost to the City.

City Manager Brian Muenger addressed the Council regarding bids received regarding the Collection of Solid Waste for Commercial and Residential. He advised while a number of inquiries were received, the City only received two bids. He confirmed the lowest responsible bidder for commercial was Waste Management and for residential was Arrow Disposal. He advised he expected the changes to take place beginning on September 1, 2022.

City Manager Brian Muenger addressed the Council regarding the Animal Control Center User Fee for municipalities. Mr. Muenger advised the numbers had not been finalized but confirmed the amounts for some municipalities the fee would increase.

City Manager Comments: None

Mayor Comments: None

The City Council of the City of Pell City met in a regularly scheduled council meeting at City Hall immediately following the work session on Monday, July 25, 2022. Present were Council President Jud Alverson, Councilmembers Jay Jenkins, Ivi McDaniel, Blaine Henderson, and Jason Mitcham. Those present constituting the entirety of the Council, the following business was transacted:

The City Clerk had roll call for attendance.

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

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

Now was the time set aside for a Public Hearing to consider the Annexation with R4 Zoning of certain property located on Florida Road.

- 22-09-30-0-003-005.001
- 22-09-30-0-003-005.000
- 22-09-30-0-003-002.000

City Attorney John Rea addressed the Council and Public regarding the annexation with R4 Zoning request of the property located on Florida Road. Mr. Rea advised the matter originated in Planning Commission to consider pre-zoning of certain land that the owners desired to annex into the City. He confirmed the requested pre-zoning was R4 and the property in question was contiguous to the City Limits of Pell City. Mr. Rea advised that the hearing was primarily on the pre-zoning request received but recommended that due to some discrepancies with the legal description due to a boundary line issue the Council table any action on the Ordinance until the small issue could be rectified.

Council President Alverson opened the Public Hearing at 6:13 p.m.:

James Cassidy with TCG located at 5800 Felsphar Way in Hoover, Alabama advised he was representing the property owners and advised the modified legal description had been provided for review. He requested consideration on the matter from the Council.

Beverly Barber resides at 105 Florida Road, and addressed the Council regarding the annexation and pre-zoning of property located on Florida Road. Ms. Barber expressed her objections to the request due to the location of the exits of the proposed development.

James Cassidy with TCG addressed the Council again and advised that a traffic study would be conducted and provided to the City and County.

Alton Phillips resides at 459 Phillips Lane, and addressed the Council. Mr. Phillips expressed his concern regarding the buffer zone shown on the master plan submitted in the cul-de-sacs in comparison to his property.

There being no one else present Council President Alverson closed the Public Hearing at 6:17 p.m.

Council President Alverson introduced **ORDINANCE NO. 2022 – 5708** authorizing the Annexation of Certain Property Located on Florida Road with R-4 Zoning.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved to table **ORDINANCE NO. 2022 – 5708** authorizing the Annexation of Certain Property Located on Florida Road with R-4 Zoning.

Now was the time set aside for a Public Hearing to consider assessing grass/weed nuisance abatement costs to the following properties:

- 3103 6th Avenue North Parcel #: 22-09-31-3-001-033.000
- 3305 Stemley Bridge Road Parcel #: 29-04-19-1-000-008.000
- 3312 Tyler Street Parcel #: 22-09-31-3-001-002.000
- 1034 1st Avenue South Parcel #: 28-01-02-1-002-040.001

Council President Alverson opened the Public Hearing at 6:17 p.m., there being no one present, he closed the Public Hearing at 6:18 p.m.

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

- **RESOLUTION NO. 2022 - 5696** 3103 6th Avenue North
- **RESOLUTION NO. 2022 - 5697** 3305 Stemley Bridge Road
- **RESOLUTION NO. 2022 - 5698** 3312 Tyler Street
- **RESOLUTION NO. 2022 - 5699** 1034 1st Avenue South

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2022 - 5709** setting a Public Hearing for September 12, 2022 at 6:00 p.m. regarding grass/weed nuisances.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2022 – 5710** authorizing an Assignment and Assumption of Project Development Agreement with Noon Pell City, LLC.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2022 – 5711** adopting the Hazard Mitigation Plan for AEA Division G Counties.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2022 – 5712** authorizing an agreement with the Alabama Department of Transportation.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2022 – 5713** adopting the updated Utility Regulations.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2022 – 5714** authorizing the McKesson Opioid Alabama Settlement Agreement.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2022 – 5715** authorizing the Janssen Opioid Alabama settlement Agreement.

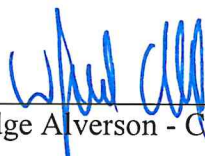
On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved the change in operating hours for the Civic Center as presented.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2022 – 5716** authorizing an emergency extension to the agreement with Waste Management Services, Inc. in an amount not to exceed \$170,000.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2022 – 5717** awarding the bid for the Collection and Disposal of Residential Solid Waste to Arrow Disposal Services.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2022 – 5718** awarding the bid for the Collection and Disposal of Commercial Solid Waste to Waste Management Services.

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



W. Judge Alverson - Council President

ATTEST:



Sheree D. Pruitt - City Clerk