

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, May 22, 2023. Present were Council President Pro Tem Jason Mitcham, Councilmembers Jay Jenkins, Ivi McDaniel, and Blaine Henderson. Those present constituting a quorum of the Council, Council President Pro Tem Mitcham opened the meeting for discussion. Council President Jud Alverson was absent.

The invocation was led by Pastor Donald Gover.

The pledge to the American Flag was led by Clay Morris, Chief of Police.

The City Clerk had roll call for attendance.

There were no comments regarding the bills on file.

There were no comments regarding the minutes from the regularly scheduled council meeting held on May 8, 2023.

Jeff Wilcox with Spire was present to present the Silver Shovel Award to the City of Pell City. Mr. Wilson stated the award was presented to municipalities that were located within the service territory, utilized "one call", and had no "at fault" damages for the year. Street Superintendent Greg Gossett and Utility Supervisor James Hadaway were present to accept the award on behalf of the City.

City Manager Brian Muenger addressed the Council regarding the Public Hearing to consider assessing the abatement cost associated with the condemnation of the following properties.

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| 1. 3803 Stemley Bridge Road | Parcel No: 29-04-19-1-000-025.004 |
| 2. 113 3 rd Street North | Parcel No: 28-02-03-1-001-022.000 |
| 3. 501 Wolf Creek Road South | Parcel No: 28-02-03-3-000-003.000 |
| 4. 606 29 th Street North | Parcel No: 23-07-36-4-005-017.000 |
| 5. 2807 5 th Avenue North | Parcel No: 23-07-36-4-005-031.000 |

Mr. Muenger advised the Public Hearing was scheduled for 6:00 p.m.

City Manager Brian Muenger addressed the Council regarding a user agreement with CEPA Management Corporation. Mr. Muenger advised the agreement was similar to previous years allowing for the production of the Black Jacket Symphony. He stated the CEPA Management Corporation had also requested a \$5,000 gold sponsorship as well as a \$5,000 loss prevention, but confirmed the loss prevention had not been paid in previous years. Mr. Muenger advised the agreement allowed for the event to take place on a Saturday with the back up day being Sunday.

City Manager Brian Muenger addressed the Council regarding an agreement with Neel-Schaffer, Inc. for Construction, Engineering and Inspection Services regarding the Local Road Safety Initiative Program on Mays Bend Road. Mr. Muenger advised the Council had previously accepted and concurred with the Alabama Department of Transportation bid tab that was provided, but advised Neel-Schaffer was the best candidate for the CE&I portion of the project. Mr. Muenger confirmed the cost was within the ALDOT cost matrix as well.

City Manager Brian Muenger addressed the Council regarding a grant received on behalf of the Community Health Clinic from the Stringfellow Health Fund. Mr. Muenger advised the City acts as the applicant on behalf of the clinic and had successfully received the grant to help with mental health services for the clinic. He requested the Council consider approving the acceptance of the grant funds and authorize the disbursement of same to the St. Clair County Community Health Clinic.

City Manager Brian Muenger addressed the Council with regard to setting a Public Hearing for the vacation of a 60' Right-of-Way and three 15' alleys located at 402 Cogswell Avenue. Mr.

Muenger advised the site was the former location of Dr. David Sawyer's dentist office, which had burned and was a total loss in 2022. Mr. Muenger advised the vacation was necessary in order for the dentist office to be re-built. He confirmed the alleys did not affect utility easements or public use as the right-of-way was had been used as an access point. Mr. Muenger stated the earliest possible date for the Public Hearing to be set was June 26, 2023 at 6:00 p.m.

Human Resources Director Dawn Childre addressed the Council regarding a staffing request for the Animal Control Center. Mr. Childre advised there were a total of eight (8) spots for employees with only five (5) filled. She stated that one of the part-time positions could be made full time to allow for four (4) part-time positions and four (4) full-time positions. Ms. Childre confirmed that the positions had been filled thirteen (13) times and stated only two (2) of the thirteen (13) were still employed with the City. City Manager Brian Muenger advised that the overtime budget had been impacted heavily and stated the staff was being worn down. Chief of Police Clay Morris confirmed that morale was down amongst the staff at the shelter. City Manager Brian Muenger advised that some of the partnering municipalities had requested the City sure up the intake rate and provide the requested support amounts in order to sure up their budgets for FY23/24.

City Attorney John Rea addressed the Council regarding the Civil Enforcement of the City of Pell City Zoning Ordinance. Mr. Rea advised there were two means of enforcement and the authorization of civil action was one mean to pre-authorize the civil action to allow the City to enforce the Pell City Zoning Ordinance appropriately.

City Manager Comments: None.

Mayor Comments: None.

City Attorney John Rea advised that the Council needed to enter into Executive Session to discuss potential litigation involving the City. Mr. Rea certified this qualified for Executive Session and did not expect the session to last any longer than 10 minutes and did not expect any action from the session. At 5:55 p.m., Councilmember Henderson made a motion to enter into Executive Session until 6:05 p.m. The motion was seconded by Councilmember McDaniel and unanimously approved by the Council. On roll call, those voting aye being: Council President Pro Tem Mitcham, Councilmembers Henderson, Jenkins, and McDaniel. Nays: None. Council President Pro Tem Mitcham declared the motion approved.

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, May 22, 2023. Present were Council President Pro Tem Jason Mitcham, Councilmembers Jay Jenkins, Blaine Henderson, and Ivi McDaniel. Council President Alverson 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 Henderson, seconded by Councilmember Jenkins, the Council unanimously approved the agenda as presented.

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

On motion of Councilmember Jenkins, seconded by Councilmember McDaniel, the Council unanimously approved the minutes from the regularly scheduled Council Meeting held May 8, 2023.

Now was the time set aside for a Public Hearing to assess abatement costs for the condemnation of 3803 Stemley Bridge Road. Council President Pro Tem Mitcham opened the Public Hearing at 6:08 p.m., there being no one present, he closed the Public Hearing at 6:09 p.m.

On motion of Councilmember Henderson, seconded by Councilmember Jenkins, the Council unanimously approved **RESOLUTION NO. 2023 – 5902** assessing the abatement costs for the condemnation of 3803 Stemley Bridge Road.

Now was the time set aside for a Public Hearing to assess abatement costs for the condemnation of 113 3rd Street North. Council President Pro Tem Mitcham opened the Public Hearing at 6:09 p.m., there being no one present, he closed the Public Hearing at 6:09 p.m.

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023 – 5903** assessing the abatement costs for the condemnation of 113 3rd Street North.

Now was the time set aside for a Public Hearing to assess abatement costs for the condemnation of 501 Wolf Creek Road South. Council President Pro Tem Mitcham opened the Public Hearing at 6:10 p.m., there being no one present, he closed the Public Hearing at 6:10 p.m.

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023 – 5904** assessing the abatement costs for the condemnation of 501 Wolf Creek Road South.

Now was the time set aside for a Public Hearing to assess abatement costs for the condemnation of 606 29th Street North. Council President Pro Tem Mitcham opened the Public Hearing at 6:10 p.m., there being no one present, he closed the Public Hearing at 6:11 p.m.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5905** assessing the abatement costs for the condemnation of 606 29th Street North.

Now was the time set aside for a Public Hearing to assess abatement costs for the condemnation of 2807 5th Avenue North. Council President Pro Tem Mitcham opened the Public Hearing at 6:11 p.m., there being no one present, he closed the Public Hearing at 6:11 p.m.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5906** assessing the abatement costs for the condemnation of 2807 5th Avenue North.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5907** authorizing a User Agreement with CEPA Management Corporation regarding the Black Jacket Symphony.

On motion of Councilmember Jenkins, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5908** authorizing an agreement with Neel-Schaffer, Inc. for Construction, Engineering and Inspection Services regarding the Local Road Safety Initiative Program.

On motion of Councilmember Henderson, seconded by Councilmember Jenkins, the Council unanimously approved **RESOLUTION NO. 2023 – 5909** authorizing the appropriation of Grant Funds received from Northeast Alabama's Stringfellow Health Fund to St. Clair Community Health Clinic.

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved setting a Public Hearing regarding the vacation of a 60' Road Right of Way and three 15' alleys located at 402 Cogswell Avenue for June 26, 2023 at 6:00 p.m.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved the Animal Control Center Organizational Chart as presented adding one full-time position.

On motion of Councilmember Jenkins, seconded by Councilmember McDaniel, the Council unanimously approved a manual pay adjustment of existing Animal Control Center staff to a Step 5 rate (\$13.69/hour).


On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5910** authorizing the Civil Enforcement of the City of Pell City Zoning Ordinance.

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



J. Jason Mitcham - Council President

ATTEST:



Sheree D. Pruitt - City Clerk