

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, August 12, 2024. 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 City Manager Brian Muenger.

The City Clerk had roll call for attendance.

There were no comments regarding the bills on file.

Code Enforcement Officer Blake Harbison addressed the Council regarding a Public Hearing set for 6:00 p.m. to consider declaring the following properties a nuisance and ordering abatement. He advised the properties listed were not in compliance with city ordinance and Council should declare the properties a nuisance and order the abatement.

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| • Fox Hollow Detention Pond | Parcel ID: 23-07-35-0-001-005.401 |
| • Wisteria Lane Property | Parcel ID: 22-09-31-4-000-014.001 |
| • 209 18 th Street North | Parcel ID: 28-01-01-2-002-032.000 |

Code Enforcement Blake Harbison addressed the Council regarding a Public Hearing set for 6:00 p.m. to consider assessing the cost of abatement to the properties listed. He advised all properties were declared a nuisance and ordered to be abated which was conducted by Street Department personnel.

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| • 106 Heights Way | Parcel ID: 22-09-31-4-000-002.023 |
| • 109 Heights Way | Parcel ID: 22-09-31-4-000-002.040 |
| • 111 Heights Way | Parcel ID: 22-09-31-4-000-002.039 |
| • 402 Wolf Creek Road South | Parcel ID: 28-02-03-4-000-011.000 |
| • 501 Wolf Creek Road South | Parcel ID: 28-02-03-3-000-003.000 |
| • 606 29 th Street | Parcel ID: 23-07-36-4-005-017.000 |
| • 1034 1 st Avenue South | Parcel ID: 28-01-02-1-002-040.001 |
| • 1414 7 th Avenue South | Parcel ID: 28-01-01-3-004-012.000 |
| • 3103 6 th Avenue North | Parcel ID: 22-09-31-3-001-033.000 |
| • 3305 Stemley Bridge Road | Parcel ID: 29-04-19-1-000-008.000 |
| • 3221 6 th Avenue North | Parcel ID: 22-09-31-3-001-024.000 |

City Clerk Sheree Pruitt addressed the Council regarding a Public Hearing to consider rezoning certain property located on Wolf Creek Road North from B-2 to R-1 and a Final Plat Resurvey of Wolf Creek Oaks Subdivision located on Wolf Creek Road. Mrs. Pruitt advised the items had been heard by the Planning Commission and were unanimously recommended for approval. She confirmed the intent was to build single family residences on the property.

City Clerk Sheree Pruitt addressed the Council regarding the appointment of Chris Stein to the Board of Zoning Adjustments and Bridgett Junkin to the Library Board. Mrs. Pruitt advised both individuals would fill vacancies and were recommended by both boards on the respective boards and they were recommended by members of both boards.

City Manager Brian Muenger addressed the Council regarding an agreement with Hargray for services to be provided at the Wastewater Treatment Plant. He advised that IT staff had reviewed several options and proposals. Mr. Muenger confirmed that Hargray had provided a commitment for the lowest cost with only a twenty-four-month term.

City Manager Brian Muenger addressed the Council regarding Changer Order Number 2 for the Wastewater Treatment Plant. He advised the project was close to completion and stated there

were a number of unit price-based items and confirmed that some of the prices had been reduced. Utility Superintendent James Hadaway advised that overall there was a total of approximately \$67,000 in reduction of contract due to the unit price-based items. He stated that the building, which was not included in the construction contract had to be furnished and cabinets installed for a total of approximately \$52,000 with a final total reduction of approximately \$15,000. Mr. Muenger advised that with the furnishings and extra paving, he was pleased that the project was under budget.

City Manager Brian Muenger addressed the Council regarding an easement agreement with Alabama Power for the new location of the Pell City Police Department. He advised there were no underground utilities and Alabama Power Company had submitted a proposed plan. Mr. Muenger stated authorizing the easement would allow Alabama Power to move forward and provide power at the site prior to construction.

Jeff Thompson, Community Engagement, addressed the Council regarding the Logan Martin Lake Protection Association event "Boo Bash". He advised he had been working with Mr. Stevenson on the event as a fundraiser for LMLPA and was in need of a user agreement. Mr. Muenger advised the area identified had already been reserved for the event at zero cost.

City Manager Brian Muenger addressed the Council regarding an Audit Service Agreement with Bain & Company for Fiscal Year End 2023. He advised that pursuant to state code the Council must ratify the agreement. Mr. Muenger stated the proposal was for a fee not to exceed \$65,000 and was inclusive of a single audit.

City Clerk Sheree Pruitt addressed the Council regarding an agreement with Pitney Bowes for the replacement and maintenance of the postage machine. She advised the agreement had expired and the City had received a proposal for an upgraded machine which would include maintenance. Mrs. Pruitt confirmed the increase was minimal.

City Manager Brian Muenger addressed the Council regarding the Incentive Payment for the Pell City Square Development. He advised the development had done well although it had been open for just under a year. Mr. Muenger advised the development owed \$1.3 million for the developer's bond. He confirmed the City had sufficient funds in the current fiscal year to pay the debt off and avoid any additional interest payments. He advised the City would also be the recipient of the spillover amounts that were not otherwise needed for debt servicing. Mr. Muenger confirmed the City was able to pay off the debt, if approved by Council without compromising any CIP projects. He stated the money would not be expended from the reserve funds but from the administrative budget operating fund.

City Manager Brian Muenger addressed the Council regarding an agreement and permit with the Alabama Department of Transportation for the Installation, Operation, and Maintenance of an Emergency Traffic Signal. Mr. Muenger advised the item was a late addition and the first draft had just been received from the architect and Skipper Consulting.

City Manager Brian Muenger addressed the City Council regarding the FY24/25 Budget. He advised the City was waiting on a number of items which included payments from the state as well. Mr. Muenger advised the Council would be convening for annual budget meetings over the following few weeks.

City Manager Comments: None.

Mayor Comments: None.

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

The City Council of the City of Pell City met in a regularly scheduled Council Meeting held at City Hall at 6:00 p.m. on Monday August 12, 2024. Present were Council President 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 Mitcham, the Council unanimously approved the payment of bills on file.

Now was the time set aside for a Public Hearing to consider declaring the following properties a nuisance an ordering abatement:

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| • Fox Hollow Detention Pond | Parcel ID: 23-07-35-0-001-005.401 |
| • Wisteria Lane Property | Parcel ID: 22-09-31-4-000-014.001 |
| • 209 18 th Street North | Parcel ID: 28-01-01-2-002-032.000 |

Council President Alverson opened the Public Hearing at 6:05 p.m. Mr. Alex Huffman of Rausch Coleman Homes was present regarding the Fox Hollow Detention Pond. Councilmember Henderson advised 209 18th Street North had been cut. There being no one else present Council President Alverson closed the Public Hearing at 6:10 p.m.

On motion of the Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved to table **RESOLUTION NO. 2024 – 6084** regarding the Fox Hollow Detention Pond .

On motion of Councilmember Henderson, seconded by Councilmember Mticham, the Council unanimously approved **RESOLUTION NO. 2024 – 6085** declaring property located on Wisteria Lane a nuisance and ordered abatement.

RESOLUTION NO. 2024 – 6086 regarding 209 18th Street North failed due to the lack a motion.

Now was the time set aside for a Public Hearing to consider assessing the cost of abatement to the 106 Heights Way. Council President Alverson opened the Public Hearing at 6:11 p.m., there being no one present regarding this matter Council President Alverson closed the Public Hearing at 6:11 p.m.

Now was the time set aside for a Public Hearing to consider assessing the cost of abatement to the 109 Heights Way. Council President Alverson opened the Public Hearing at 6:11 p.m., there being no one present regarding this matter Council President Alverson closed the Public Hearing at 6:11 p.m.

Now was the time set aside for a Public Hearing to consider assessing the cost of abatement to the 111 Heights Way. Council President Alverson opened the Public Hearing at 6:11 p.m., there being no one present regarding this matter Council President Alverson closed the Public Hearing at 6:11 p.m.

Now was the time set aside for a Public Hearing to consider assessing the cost of abatement to the 402 Wolf Creek Road South. Council President Alverson opened the Public Hearing at 6:12 p.m., there being no one present regarding this matter Council President Alverson closed the Public Hearing at 6:12 p.m.

Now was the time set aside for a Public Hearing to consider assessing the cost of abatement to the 501 Wolf Creek Road South. Council President Alverson opened the Public Hearing at 6:12 p.m., there being no one present regarding this matter Council President Alverson closed the Public Hearing at 6:12 p.m.

Now was the time set aside for a Public Hearing to consider assessing the cost of abatement to the 606 29th Street. Council President Alverson opened the Public Hearing at 6:12 p.m., there being no one present regarding this matter Council President Alverson closed the Public Hearing at 6:12 p.m.

Now was the time set aside for a Public Hearing to consider assessing the cost of abatement to the 1034 1st Avenue South. Council President Alverson opened the Public Hearing at 6:12 p.m., there being no one present regarding this matter Council President Alverson closed the Public Hearing at 6:12 p.m.

Now was the time set aside for a Public Hearing to consider assessing the cost of abatement to the 1414 7th Avenue South. Council President Alverson opened the Public Hearing at 6:12 p.m., there being no one present regarding this matter Council President Alverson closed the Public Hearing at 6:12 p.m.

Now was the time set aside for a Public Hearing to consider assessing the cost of abatement to the 3103 6th Avenue North. Council President Alverson opened the Public Hearing at 6:12 p.m., there being no one present regarding this matter Council President Alverson closed the Public Hearing at 6:12 p.m.

Now was the time set aside for a Public Hearing to consider assessing the cost of abatement to the 3305 Stemley Bridge Road. Council President Alverson opened the Public Hearing at 6:12 p.m., there being no one present regarding this matter Council President Alverson closed the Public Hearing at 6:12 p.m.

Now was the time set aside for a Public Hearing to consider assessing the cost of abatement to the 3221 6th Avenue North. Council President Alverson opened the Public Hearing at 6:12 p.m., there being no one present regarding this matter Council President Alverson closed the Public Hearing at 6:13 p.m.

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

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| • RESOLUTION NO. 2024 – 6087 | 106 Heights Way |
| • RESOLUTION NO. 2024 – 6088 | 109 Heights Way |
| • RESOLUTION NO. 2024 – 6089 | 111 Heights Way |
| • RESOLUTION NO. 2024 – 6090 | 402 Wolf Creek Rd South |
| • RESOLUTION NO. 2024 – 6091 | 501 Wolf Creek Rd South |
| • RESOLUTION NO. 2024 – 6092 | 606 29 th Street North |
| • RESOLUTION NO. 2024 – 6093 | 1034 1 st Avenue South |
| • RESOLUTION NO. 2024 – 6094 | 1414 7 TH Avenue South |
| • RESOLUTION NO. 2024 – 6095 | 3103 6 TH Avenue North |
| • RESOLUTION NO. 2024 – 6096 | 3305 Stemley Bridge Road |
| • RESOLUTION NO. 2024 – 6097 | 3221 6 th Avenue North |

Now was the time set aside for a Public Hearing to consider rezoning certain property located on Wolf Creek Road North from B-2 to R-1. Council President Alverson opened the Public Hearing at 6:13 p.m. Mr. Wayne Smith was present and advised the property was located across from the Veterans Home and it was his desire to split the property into five lots for single family residential dwellings to be built.

Council President Alverson introduced the following Ordinance:

ORDINANCE NO. 2024 - 6098

AN ORDINANCE AMENDING ORDINANCE NO. 79-516 TO REZONE FROM B-2 TO R-1 CERTAIN PROPERTY LOCATED AT ON WOLF CREEK ROAD NORTH WITHIN THE CITY LIMITS OF THE CITY OF PELL CITY, ALABAMA

WHEREAS, Wayne Smith on behalf of Coosa Valley Land Company, 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 Wayne Smith on behalf of Coosa Valley Land Company, requesting that said described property located within the corporate limits of the City of Pell City be rezoned from B-2 (General Business District) to R-1 (Low Density Residential) 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 August 12, 2024 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 Wayne Smith on behalf of Coosa Valley Land Company, the owner of the following described lands situated in the City of Pell City, Alabama, requesting that the same be rezoned from B-2 (General Business District) to R-1 (Low Density Residential) be and the same is hereby approved, to-wit:

ALL THAT PART OF THE SE ¼ OF SW ¼ LYING N AND W OF WOLF CREEK ROAD NORTH IN SECTION 26, TOWNSHIP 16 SOUTH, RANGE 3 EAST, ST CLAIR COUNTY ALABAMA

This description has been prepared without the benefit of a survey and is intended to describe all of the property located on Wolf Creek Road North (Parcel ID: 23-07-26-0-001-049.001).

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

Section 3. This Ordinance shall become effective upon approval, passage 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 ayes being: Councilmember Jenkins, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously adopted said ordinance authorizing the rezoning of property located on Wolf Creek Road North from B-2 to R-1. The motion was seconded by Councilmember McDaniel. On roll call vote those voting ayes being: Councilmember Jenkins, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2024 - 6099** authorizing a Final Plat Resurvey for Wolf Creek Oaks Subdivision (Parcel ID: 23-07-26-0-001-049.001).

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously appointed Chris Stein to the Board of Zoning Adjustments.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously appointed Bridgett Junkin to the Library Board.

On motion of Councilmember Mitcham, seconded by Councilmember Jenkins, the Council unanimously approved **RESOLUTION NO. 2024 - 6100** authorizing an agreement with Hargray regarding service at the Wastewater Treatment Plant.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2024 - 6101** authorizing Change Order No. #2 regarding the WWTP Building.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2024 - 6102** authorizing an easement agreement with Alabama Power regarding the Pell City Police Department.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2024 - 6103** authorizing a User Agreement with LMLPA for the Boo Bash Event.

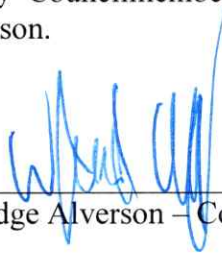
On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2024 - 6104** authorizing an Audit Service Agreement with Bain & Company for FYE 2023.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2024 - 6105** authorizing an agreement with Pitney Bowes for the replacement and maintenance of the postage machine.

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2024 - 6106** authorizing the Incentive Pay for Pell City Square Commercial Development.

On motion of Councilmember Mitcham, seconded by Councilmember Jenkins, the Council unanimously approved **RESOLUTION NO. 2024 - 6107** authorizing an agreement and permit with the Alabama Department of Transportation for the Installation, Operation, and Maintenance of an Emergency Traffic Signal for Fire Station 2.

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



W. Judge Alverson – Council President\

ATTEST:



Sheree D. Pruitt - City Clerk