

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 26, 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 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 a Public Hearing set for 6:00 p.m. to consider declaring the Fox Hollow Detention Pond a nuisance and ordering abatement

City Clerk Sheree Pruitt addressed the Council regarding the need to declare the properties listed a nuisance and ordering the abatement. She advised the properties were not compliant with Ordinance 2018-4920. Mrs. Pruitt advised the earliest date to set a Public Hearing was October 14, 2024.

• 2807 5 <sup>th</sup> Avenue North	Parcel No.: 23-07-36-4-005-031.000
• 402 30 <sup>th</sup> Street North	Parcel No.: 23-07-36-4-005-053.000
• 712 20 <sup>th</sup> Street North	Parcel No.: 23-07-36-3-004-018.000
• 412 30 <sup>th</sup> Street North	Parcel No.: 23-07-36-4-005-048.000
• 2717 Dellwood Drive	Parcel No.: 29-03-06-3-001-036.000
• 1800 3 <sup>rd</sup> Avenue North	Parcel No.: 28-01-01-2-002-030.000
• 409 26 <sup>th</sup> Street North	Parcel No.: 23-07-36-4-004-058.000
• 4105 Cogswell Avenue	Parcel No.: 22-09-31-4-000-016.001
• 3227 7 <sup>th</sup> Avenue North	Parcel No.: 22-09-31-3-001-010.000
• 404 30 <sup>th</sup> Street North	Parcel No.: 23-07-36-4-005-052.000
• 2612 Hickory Circle	Parcel No.: 29-03-06-3-003-018.000
• 3220 7 <sup>th</sup> Avenue North	Parcel No.: 22-09-31-3-001-015.000

City Clerk Sheree Pruitt addressed the Council regarding a final plat for Ingram Holdings Wolf Creek Road Residential Subdivision. She advised the item was from planning commission with a unanimous recommendation for approval. Mrs. Pruitt confirmed the plan was to construct two single family dwellings on the property.

City Manager Brian Muenger addressed the Council regarding the Rebuild Alabama Act Plan. He advised the City receives approximately \$100,000 each year and according to the act is also required to adopt a report in December of each year. Mr. Muenger advised Street Superintendent had proposed Industrial Park Drive which had been submitted for funding previously. He advised the road was deteriorating and it was necessary to continue to include it in the plan as well as look at adding it to the future paving project.

City Manager Brian Muenger addressed the Council regarding a Franchise Agreement with Hargray. Mr. Muenger advised the agreement initially had not received much attraction but confirmed that Hargray had agreed to continue to provide in-kind services. He also advised that although the complaint from Berkley Drive was prior to the inception of Hargray from Cable One, Hargray had been working to satisfy their needs. Mr. Muenger advised that Jeff Thompson had been in contact with Hargray regarding the easement needed to provide service. Mr. Thompson advised that Hargray had showed a willingness to work with the City and continue communication regarding the matter. City Manager advised the council should consider adopting the proposed Franchise Agreement.

Police Chief Clay Morris addressed the Council regarding Automated Records Management System for the Police Department. He advised the cost for the first year was a little over \$46,000 and confirmed it was necessary for the department to purchase this subscription. Chief Morris advised the program that was being used was operating on a 1990's platform. He advised the ARMS platform offered many more features than the existing platform.

Police Chief Clay Morris addressed the Council regarding an agreement with Thomson Reuters for use of the "Clear Program". He advised the database would replace the currently used Lexis Nexis and confirmed the Clear Program was more robust than Lexis Nexis. Chief Morris advised he believed there would be availability for "administrative" access.

City Manager Brian Muenger addressed the Council regarding the second September Council Meeting (9/23/24). He advised the goal was to have budget completed and ready for approval by September 19<sup>th</sup> to allow staff extra time to key the figures before the budget fiscal year actually begins.

City Manager Brian Muenger addressed the Council regarding the Consumer Price Index notice of increase received from Arrow Disposal Services, Inc. He advised the increase was 5.3%, which calculated to be approximately 97 cents per individual. Mr. Muenger confirmed the increase was effective beginning September 1<sup>st</sup>.

City Manager Brian Muenger addressed the Council regarding an *Acknowledgement of Assistance* received from Rainbow City for the Pell City Dive Team. Mr. Muenger advised the Dive Team had assisted in a drowning that had occurred.

City Manager Comments: None.

Mayor Comments: None.

Chief Clay Morris gave an update on the Rebecca Poe murder case. He advised one of the defendants had plead guilty and received five life sentences and expected the second defendant to plea as well.

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

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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 26, 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 McDaniel, 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 Fox Hollow Detention Pond a nuisance and ordering abatement. Council President Alverson opened the public hearing at 6:01 p.m. Alex Huffman of Rausch Coleman Homes was present. Council President Alverson closed the public hearing at 6:04 p.m. City Manager Brian Muenger reiterated that the outlet structure would need to be clear in order for the detention pond to function properly.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously tabled **RESOLUTION NO. 2024-6084** declaring the Fox Hollow Detention Pond a Nuisance and Ordering Abatement until October 14, 2024.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2024 – 6108** setting a Public Hearing on October 14, 2024, to consider declaring the listed properties a nuisance and ordering abatement.

• 2807 5 <sup>th</sup> Avenue North	Parcel No.: 23-07-36-4-005-031.000
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• 712 20 <sup>th</sup> Street North	Parcel No.: 23-07-36-3-004-018.000
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• 2717 Dellwood Drive	Parcel No.: 29-03-06-3-001-036.000
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• 3220 7 <sup>th</sup> Avenue North	Parcel No.: 22-09-31-3-001-015.000

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2024 – 6109** authorizing a final plat for Ingram Holdings Wolf Creek Road Residential Subdivision.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2024 – 6110** adopting the Rebuild Alabama Act Plan for FY24/25.

Council President Alverson Introduced **ORDINANCE NO. 2024 – 6111** authorizing a Franchise Agreement with Hargray.

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, the Council unanimously adopted said ordinance authorizing a Franchise Agreement with Hargray. 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 – 6112** authorizing an agreement with Automated Records Management System for the Police Department.

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2024 – 6113** authorizing an agreement with Thomson Reuters for the “Clear Program” for use in the Police Department.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved cancelling the September 23, 2024, City Council Meeting and scheduling a Special Called Council Meeting on September 19, 2024 with the Work Session beginning at 5:00 p.m. and the Council Meeting beginning at 5:30 p.m.

City Attorney John Rea advised that the Council needed to enter into Executive Session to discuss a potential economic development plan. Mr. Rea certified this qualified for Executive Session and did not expect the session to last any longer than 45 minutes. Mr. Rea stated he did

not expect action from the session. At 6:05 p.m., Councilmember Mitcham made a motion to enter into Executive Session for approximately forty-five minutes. The motion was seconded by Councilmember Henderson and unanimously approved by the Council. On roll call, those voting aye being: Councilmembers Jenkins, McDaniel, Henderson, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved.


On motion of Councilmember Mitcham, seconded by Councilmember Jenkins, 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