

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, January 9, 2023. Present were Council President Alverson, Councilmembers Ivi McDaniel, Blaine Henderson, and Jason Mitcham. Councilmember Jenkins was absent. Those present constituting a quorum of the Council, Council President Alverson opened the meeting for discussion.

The invocation was led by Pastor Donald Gover.

The pledge to the American Flag was led by Council President Alverson.

The City Clerk had roll call for attendance.

There were no comments regarding the bills on file.

City Manager Brian Muenger addressed the Council regarding the rezoning of property located on Water Tank Hill Road from R-A to R-2. Mr. Muenger advised that the request had come from the Planning Commission with a recommendation of approval. He confirmed the public hearing was for strictly rezoning of the property. Mr. Muenger advised the petitioner if approved would develop approximately 36 lots.

City Manager Brian Muenger addressed the Council regarding the Public Hearing Scheduled for 6:00 p.m. with regard to the condemnation of the following properties:

- 1206 23rd Street North
- 1212 23rd Street North
- 706 28th Street North
- 107 Lakeview Drive
- 506 29th Street North
- 606 29th Street North
- 1403 Martin Street South
- 3303 Stemley Bridge Road
- 3312 Tyler Street
- 17 22nd Street North
- 113 3rd Street North
- 204 Arnett Drive
- 501 Wolf Creek Road South
- 2807 5th Avenue North
- 3803 Stemley Bridge Road

Mr. Muenger advised all property owners were provided with notice via registered mail and the properties were posted. He advised the property owners were advised to provide a proposed plan of work or an alternate plan of work. Mr. Muenger stated that all the properties were in significant states of decline as depicted in the pictures that were provided.

City Manager Brian Muenger addressed the Council regarding a new bank account for the Opioid Settlement Proceeds. He confirmed the City received the first payment from the class action lawsuit that began in 2018. Mr. Muenger stated that having a separate bank account would make tracking and expenditure of the funds easier if they were kept in a separate account.

Mr. Bubba Edge Park and Recreation Director addressed the Council regarding a modification to the Civic Center Fee Schedule. He stated that several members had requested to rent lockers at a rate of \$5 per month of \$50 per year. Mr. Muenger stated the request was straight forward but required Council approval to adjust the fee schedule.

Mr. Bubba Edge Park and Recreation Director provided the Council with an update on the 2022 Lights in the Park. Mr. Edge advised the numbers increased from previous years and stated that 49,861 cars visited Lights in the Park.

City Manager Comments: None

Mayor Comments: Mayor stated that he had received several compliments on the Lights displayed in the park and commended the Park and Recreation Department on a job well done.

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, January 9, 2023. Present were Council President Jud Alverson, Councilmembers Ivi McDaniel, Blaine Henderson, and Jason Mitcham. 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 Mitcham, the Council unanimously approved the Agenda as presented.

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

Now was the time set aside for a Public Hearing regarding the rezoning of certain property located on Water Tank Hill from R-A to R-2. Council President Alverson opened the Public Hearing at 6:04 p.m. Mr. Willie Oden who resides at 4278 Water Tank Hill Road appeared in opposition to the request for rezoning. There being no one else present Council President Alverson closed the Public Hearing at 6:09 p.m.

Council President Alverson introduced **ORDINANCE NO. 2023 – 5823** authorizing the rezoning of certain property located on Water Tank Hill Road (Parcel No. 29-03-06-2-001-019.000) from R-A to R-2

Councilmember Mitcham 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 McDaniel. On roll call vote those voting aye being: Councilmember Jenkins, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved.

Councilmember Mitcham then moved that said Ordinance be now placed upon its final passage and adopted. The motion was seconded by Councilmember Henderson. The question being put as to the adoption of said motion and the passage of said Ordinance, on roll call vote, the motion was unanimously approved. On roll call vote those voting aye being: Councilmember Jenkins, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved and the Ordinance adopted.

Now was the time set aside for the Public Hearing regarding the condemnation of the following properties:

- 1206 23rd Street North
- 1212 23rd Street North
- 706 28th Street North
- 107 Lakeview Drive
- 506 29th Street North
- 606 29th Street North
- 1403 Martin Street South
- 3303 Stemley Bridge Road

- 3312 Tyler Street
- 17 22nd Street North
- 113 3rd Street North
- 204 Arnett Drive
- 501 Wolf Creek Road South
- 2807 5th Avenue North
- 3803 Stemley Bridge Road

Council President Alverson opened the public hearing regarding 17 22nd Street North at 6:20 p.m., there being no one present, Council President Alverson closed the Public Hearing at 6:20 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023 - 5824** declaring the structure located at 17 22nd Street North a Nuisance and Ordering Abatement.

Council President Alverson opened the public hearing regarding 107 Lakeview Drive at 6:19 p.m., there being no one present, Council President Alverson closed the Public Hearing at 6:19 p.m.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 - 5825** declaring the structure located at 107 Lakeview Drive a Nuisance and Ordering Abatement.

Council President Alverson opened the public hearing regarding 113 3rd Street North at 6:17 p.m., there being no one present, Council President Alverson closed the Public Hearing at 6:17 p.m.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 - 5826** declaring the structure located at 113 3rd Street North a Nuisance and Ordering Abatement.

Council President Alverson opened the public hearing regarding 1403 Martin Street South at 6:16 p.m., there being no one present, Council President Alverson closed the Public Hearing at 6:16 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023 - 5827** declaring the structure located at 1403 Martin Street South a Nuisance and Ordering Abatement.

Council President Alverson opened the public hearing regarding 2807 5th Avenue North at 6:21 p.m., there being no one present, Council President Alverson closed the Public Hearing at 6:21 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 - 5828** declaring the structure located at 2807 5th Avenue North a Nuisance and Ordering Abatement.

Council President Alverson opened the public hearing regarding 3303 Stemley Bridge Road at 6:20 p.m., there being no one present, Council President Alverson closed the Public Hearing at 6:20 p.m.

On motion of Councilmember McDaniel, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2023 - 5829** declaring the structure located at 3303 Stemley Bridge Road a Nuisance and Ordering Abatement.

Council President Alverson opened the public hearing regarding 3312 Tyler Street at 6:22 p.m., there being no one present, Council President Alverson closed the Public Hearing at 6:22 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson the Council unanimously approved to table **RESOLUTION NO. 2023 - 5830** declaring the structure located at 3312 Tyler Street a Nuisance and Ordering Abatement until February 13th 2023 at 6:00 p.m.

Council President Alverson opened the public hearing regarding 3803 Stemley Bridge Road at 6:19 p.m., there being no one present, Council President Alverson closed the Public Hearing at 6:19 p.m.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2023 - 5831** declaring the structure located at 3803 Stemley Bridge Road a Nuisance and Ordering Abatement.

Council President Alverson opened the public hearing regarding 606 29th Street North at 6:20 p.m., there being no one present, Council President Alverson closed the Public Hearing at 6:20 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023 - 5832** declaring the structure located at 606 29th Street North a Nuisance and Ordering Abatement.

Council President Alverson opened the public hearing regarding 501 Wolf Creek Road South at 6:17 p.m., there being no one present, Council President Alverson closed the Public Hearing at 6:17 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 - 5833** declaring the structure located at 501 Wolf Creek Road South a Nuisance and Ordering Abatement.

Council President Alverson opened the public hearing regarding 706 28th Street North at 6:11 p.m. Ms. Mary Domit appeared and advised she had submitted a plan of work for review and approval. There being no one else present, Council President Alverson closed the Public Hearing at 6:14 p.m.

On motion of Councilmember Mitcham seconded by Councilmember McDaniel, the Council unanimously approved to table **RESOLUTION NO. 2023 - 5834** declaring the structure located at 706 28th Street North a Nuisance and Ordering Abatement until February 13th, 2023 at 6:00 p.m.

Council President Alverson opened the public hearing regarding 506 29th Street North at 6:19 p.m., there being no one present, Council President Alverson closed the Public Hearing at 6:19 p.m.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved to table **RESOLUTION NO. 2023 - 5835** declaring the structure located at 506 29th Street North a Nuisance and Ordering Abatement until February 13th, 2023 at 6:00 p.m.

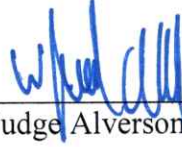
Council President Alverson opened the public hearing regarding 204 Arnett Drive at 6:19 p.m., there being no one present, Council President Alverson closed the Public Hearing at 6:19 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved to table **RESOLUTION NO. 2023 - 5836** declaring the structure located at 204 Arnett Drive a Nuisance and Ordering Abatement until February 13th, 2023 at 6:00 p.m.

On Motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 - 5837** authorizing a new bank account for the Opioid Settlement Proceeds.

On motion of Councilmember McDaniel, seconded by Councilmember Henderson, the Council unanimously approved an amendment to the Civic Center Rate Schedule to include a locker rental fee of \$5 per month or \$50 per year for one locker.

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