

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, February 13, 2023. 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 Pastor Donald Gover.

The pledge to the American Flag was led by Councilmember Ivi McDaniel.

The City Clerk had roll call for attendance.

There were no comments regarding the bills on file.

Senator Lance Bill presented the State of Alabama flag to the Council for the City of Pell City.

David Andrews with Center for Municipal Services addressed the Council regarding an extension of the Special Use Permit for the Modification of a Wireless Telecommunication Facility located at 350 Blue Hole Road. Mr. Andrews advised the project was originally approved in October 2021 and the construction was not completed. He advised the plans had been inspected as well as the facilities and recommended approval. Mr. Andrews confirmed a new application fee would be necessary to allow the extension of the Special Use Permit.

City Manager Brian Muenger addressed the Council regarding a user agreement with Logan Martin Charity Foundation for Lakefest 2023. Mr. Muenger confirmed the agreement was similar to previous years. Bubba Edge Park and Recreation Director advised the request for 2023 was to use the splash pad, which would require the splash pad to be closed on Friday and Saturday. Mr. Edge advised the foundation would pay \$2,500 for lost revenue in closing the splash pad for Friday and Saturday only.

City Manager Brian Muenger addressed the Council regarding a user agreement with Mark Hale d/b/a Triple H Bucking Rodeo for the use of the Sports Complex for the 2023 Bulls on the Lake Event. He advised the agreement was identical to previous years. Mr. Muenger and Mr. Edge confirmed that no issues were had in the past and recommended the approval of the agreement.

Mr. Ron Helms with Union State Insurance addressed Council regarding the Cyber Liability Coverage Quote received from Alabama Municipal Insurance Company. He stated that a lengthy questionnaire had been completed and several quotes had been received. City Manager Brian Muenger recommended the Council approve the policy with a ten-thousand-dollar deductible with the extended coverage for an annual cost of \$3,124.00. Mr. Muenger confirmed the extended coverage would cause the policy to be retroactive providing coverage from December 27, 2022 for one calendar year.

City Manager Brian Muenger addressed the Council with regard to declaring certain property located at 1000 Bruce Etheredge Parkway a surplus and no longer needed for municipal purposes and authorizing the lease of said property. Mr. Muenger advised the space in question was already leased to Jeff Jones of Riverbank Properties who is relinquishing the office space for Mr. Wesley Savage. He advised that an updated layout of the rented spaces was in the packet for Council review.

City Manager Brian Muenger addressed the Council regarding a grant application for the FY2023 Rebuild Alabama Act. Mr. Muenger advised that the City had applied but had been unsuccessful in the past. He stated that letters of support were allowed to be submitted and were included in the application. Councilmember Jenkins advised the application was exceptional and hoped the City was successful.

Human Resources Director Dawn Childre addressed council regarding changes to two (2) job descriptions within the Street Department. Ms. Childre advised the Street Foreman and the Street Supervisor job descriptions needed the following changes:

- Street Foreman
 - Add language to define type of supervision by superintendent;
 - Add essential job function to manage CDL training program; and
 - Add qualification language to include relevant certifications, progressively responsible experience in related/relevant fields
- Street Supervisor
 - Add language to define type of supervision by superintendent/foreman;
 - Add essential job function to assist with CDL training Program;
 - Add qualification language to include relevant experience;
 - Define type of personnel supervision; and
 - Change from Class A to Class B CDL Requirement.

Ms. Childre advised Councilmember Jenkins that it was requested to change from Class A CDL to a Class B CDL due to the actual job requirements. She confirmed that a Class A CDL was not warranted and added that it was difficult to hire someone with a Class A CDL. Street Superintendent Greg Gossett advised those individuals that were held a position in either capacity would not be driving an eighteen-wheeler.

City Manager Brian Muenger addressed Council regarding the expenditure of funds from the Capital Improvement Plan for the Hazelwood Drive Project. Mr. Muenger advised the bids received ranged from two million to approximately 2.9 million. He confirmed there were approximately \$337,926.55 in local funds required and stated the County had invoiced the City for its share of the amount. Mr. Muenger advised that clearing work would commence prior to April.

City Manager Brian Muenger addressed the Council regarding the upgrade of Hargray internet service. Mr. Muenger advised the City was still waiting on Century Link to build out for higher speed internet, but confirmed that the IT Department had explored additional options with Hargray. He advised that immediate relief could be obtained for the Police Department to allow for the download of their body cameras by authorizing the agreement before the Council with Hargray for a 12-month commitment moving a 50x5 line to a 300x300 line. Mr. Muenger confirmed the approximate cost was thirty-eight dollars a month.

Police Chief Clay Morris addressed the Council regarding an agreement for an officer buy-out contract. Chief Morris advised the request was for an exceptional candidate who had not completed a two-year contract with another municipality. City Manager Brian Muenger advised the candidate had a family friend who would pay \$10,000 and stated the City could authorize the payment of \$5,000 which was available in the salaries line item of the police department budget.

Police Chief Clay Morris addressed the Council regarding the authorization of a hiring incentive program for the Police Department. Chief Morris advised that a monetary incentive had been offered by several municipalities across Alabama and stated that if approved the City of Pell City would provide the first incentive program in St. Clair County. He confirmed the candidate would receive \$2,500 upon their hire date and the remaining \$2,500 would be received at one year. Chief Morris advised the program was for APOST certified officers only and believed it along with a modified take home vehicle policy would provide the City with a better pool of candidates for potential hire. He confirmed the modification to the take home policy would allow a radius of 35 miles, which would be calculated from City Hall.

City Manager Comments: Mr. Muenger advised the Park and Recreation Department had wrapped up spring sports registration with 641 kids registered and stated it was the highest enrollment since 2017.

Mayor Comments: Mayor commended the Park and Recreation Department for all their hard in preparing for the Spring Sports Program.

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, February 13, 2023. 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 Jenkins, seconded by Councilmember Mitcham, the Council unanimously authorized to suspend the rules to Amend the Agenda.

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved to add the amendment to the Police Department take home vehicle policy to the Agenda

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved the Agenda as Amended.

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

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2023 – 5840** authorizing an extension of the Special Use Permit for the Modification of a Wireless Telecommunication Facility at 350 Blue Hole Road.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2023 – 5841** authorizing a User Agreement with Logan Martin Charity Foundation for Lakefest 2023.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5842** authorizing a User Agreement with Mark Hale d/b/a Triple H Bucking Rodeo for the use of the Sports Complex for the 2023 Bulls on the Lake Event.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved the Cyber Liability Coverage Quote received from Alabama Municipal Insurance Company with a \$10,000 deductible at an annual cost of \$3,124.

Council President Alverson introduced the following Ordinance:

ORDINANCE NO. 2023 - 5843

AN ORDINANCE DECLARING CERTAIN REAL PROPERTY NO LONGER NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE LEASE OF SAID PROPERTY BY THE CITY OF PELL CITY, ALABAMA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELL CITY, ALABAMA, AS FOLLOWS:

1. It is hereby established and declared that the following described real property of the City of Pell City, Alabama, is no longer needed for public or municipal purposes, to-wit: two (2) office suites located on the second floor in the Municipal Complex of the City of Pell City, 1000 Bruce Etheredge Parkway, Pell City, Alabama 35128, containing approximately 300 square feet.

2. The City of Pell City, Alabama, having received an offer from Wesley Savage to lease that real property described in Section 1, above, it is hereby declared to be in the best interest of the public and the City of Pell City, Alabama, to lease said real property to Wesley Savage under the following terms and conditions, to-wit:

- Approximately 300 square feet of office space located on the second floor of the Municipal Complex together with the right to use in common with Lessor, its employees, invitees, and customers, and Lessor's other tenants and their employees, invitees, and customers, the conference room and restroom facilities located on the second floor of the Municipal Complex for a term of one (1) year. Annual rent for months one (1) through twelve (12) will be in the amount of \$5,400.00, payable in advance in equal monthly

installments of \$450.00, beginning on the first day of the month of this Lease and continuing on the same day of each month thereafter for the entire term of the lease.

3. Pursuant to the authority granted by § 11-47-21, Ala. Code 1975, the Mayor of the City of Pell City, Alabama, is hereby directed to execute the lease agreements, in form and substance as attached hereto as Exhibit A, in the name of the City of Pell City, Alabama, by and between the City and Wesley Savage.

4. Severability. If any part, section, or provision of this Ordinance shall hereafter be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of any other section or provision of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

5. Repeal of Conflicting Ordinances. Any Ordinance, Resolution, or previous Council authorization in conflict with this Ordinance shall be and is hereby repealed on the effective date of this Ordinance.

6. Effective Date. This Ordinance shall become effective immediately upon approval 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 Henderson. 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 Jenkins then moved that said Ordinance be now placed upon its final passage and adopted. The motion was seconded by Councilmember Mitcham. 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.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2023 – 5844** authorizing a grant application for the FY2023 Rebuild Alabama Act.

On motion of Councilmember Mitcham, seconded by Councilmember Jenkins, the Council unanimously approved the changes to the street department job descriptions as follows:

- Street Foreman
 - Add language to define type of supervision by superintendent;
 - Add essential job function to manage CDL training program; and
 - Add qualification language to include relevant certifications, progressively responsible experience in related/relevant fields
- Street Supervisor
 - Add language to define type of supervision by superintendent/foreman;
 - Add essential job function to assist with CDL training Program;
 - Add qualification language to include relevant experience;
 - Define type of personnel supervision; and
 - Change from Class A to Class B CDL Requirement.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved the expenditure of funds in the amount of \$337,926.55 from the Capital Improvement Plan for the Hazelwood Drive Project.

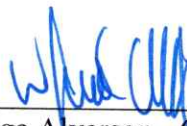
On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved a Hargray Internet Service Upgrade as presented.

On motion of Councilmember Jenkins, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5845** authorizing an agreement regarding an officer contract buyout in the amount of \$5,000 to be paid from the salaries line item of the Police Department Budget.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023 – 5846** authorizing a hiring incentive program for the Police Department for APOST Certified Officers.

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved amendment of the Police Department take home vehicle policy to increase the radius to 35 miles from City Hall.

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