

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 27, 2023. Present were Council President Alverson, Councilmembers Jay Jenkins, Ivi McDaniel, and Blaine Henderson. Those present constituting a quorum of the Council, Council President Alverson opened the meeting for discussion. Councilmember Jason Mitcham arrived at 5:53 p.m.

The invocation was led by Pastor 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.

There were no comments regarding the minutes from the regularly scheduled Council Meetings held on January 9, 2023 and January 23, 2023.

A Public Hearing was scheduled for 6:00 p.m. regarding the following properties:

1) 706 28 <sup>th</sup> Street North	Parcel No:	23-07-36-4-004-010.000
2) 17 22 <sup>nd</sup> Street North	Parcel No:	28-01-01-2-004-009.000
3) 3312 Tyler Street	Parcel No:	22-09-31-3-001-002.009
4) 606 29 <sup>th</sup> Street North	Parcel No:	23-07-36-4-005-017.000
5) 107 Lakeview Drive	Parcel No:	28-02-03-4-000-019.000
6) 501 Wolf Creek Road South	Parcel No:	28-02-03-3-000-003.000
7) 506 29 <sup>th</sup> Street North	Parcel No:	23-07-36-4-005-040.000
8) 113 3 <sup>rd</sup> Street North	Parcel No:	28-02-03-1-001-022.000
9) 3803 Stemley Bridge Road	Parcel No:	29-04-19-1-000-025.004
10) 2807 5 <sup>th</sup> Avenue North	Parcel No:	23-07-36-4-005-031.000

City Manager Brian Muenger addressed the Council and advised the properties in question were the same batch of properties that were presented to the Council on January 9<sup>th</sup>, 2023. Mr. Muenger advised that all properties were re-posted and re-advertised. He confirmed that properties 11 through 15 were removed by the owners and properties 5 and 7 had submitted a plan of work. Mr. Muenger advised that Mr. Dailey would speak to each property during the Council Meeting.

City Manager Brian Muenger addressed the Council regarding a modification to the Master Service Agreement with Paymentus. He advised the payment limit needed to be increased as well as the transaction cost.

City Manager Brian Muenger addressed the Council regarding a Cooperative Agreement with Calhoun County Commission regarding recycling. Mr. Muenger advised the agreement was relative to an ADEM Grant that Calhoun County was a participant. He advised that if Calhoun County was approved for an additional grant, the City would receive an additional trailer for recycling. Mr. Muenger confirmed there was no cost other than time and transport of the recycling trailer. Street Superintendent Greg Gossett advised the trailer would be placed inside the fence in the front area and stated there would be an additional sign in sheet for recycling. Mr. Muenger advised there was information regarding the efficiency of recycling and confirmed it was something that would need to be supervised.

City Manager Brian Muenger addressed the Council regarding Opioid Settlement Agreements and Sign-On Agreements. Mr. Muenger advised the agreements were part of a nationwide settlement which the City was a party. He confirmed the agreements were due March 7<sup>th</sup>. City Attorney John Rea advised the settlement required 100% approval and confirmed the state and everyone else recommended approval.

City Clerk Sheree Pruitt addressed the Council regarding a 2023 voting delegate for the Alabama League of Municipalities Annual Business Meeting. Ms. Pruitt advised that Councilmember McDaniel was attending the conference.

City Manager Brian Muenger addressed Council regarding an agreement with Regional Planning Commission of Greater Birmingham for the Pell City Board of Education Redistricting. Mr. Muenger advised that Brett Isom had provided these services to the City for adjusting the voting districts but stated the Regional Planning Commission could not contract with the Board of Education. He advised that RPC only contracted with municipalities. Mr. Muenger stated that the contract amount which was payable by the Board of Education was \$17,300. City Attorney John Rea advised he had prepared an agreement stating the Pell City Board of Education was responsible for managing the schools and the cost associated with redistricting would be borne solely to the Board of Education.

Police Chief Clay Morris addressed Council regarding an agreement with Alabama Power for Police Department Flock Safety Cameras. Chief Morris advised he had continued to enhance the use of technology throughout the City and stated the cameras would be in addition to the existing cameras and confirmed there would be a total of twenty cameras. City Manager Brian Muenger advised that some neighborhoods had requested information on obtaining a flock camera and stated that it would be possible at the cost of the HOA but confirmed the Police Department would have access to those cameras in addition to the cameras maintained by the City. Mr. Muenger advised the term remained the same with an increase of cost for the additional cameras.

Police Chief Clay Morris addressed the Council regarding the receipt and disbursement of funds for the purchase of a drug detection K-9. Chief Morris advised the Police Department had applied for the grant that covered 75% for the cost of a working dog but required a commitment of \$2,500 from the City. Chief Morris advised the \$2,500 would be taken from the State Seizure Fund or the Federal Seizure Fund.

Police Chief Clay Morris addressed the Council regarding the authorization of a Part-Time School Resource Officer Program. Chief Morris advised it would allow the police department to hire retired officers as School Resource Officers who would be brought in on step 10 of the existing payscale. City Manager Brian Muenger advised it was subject to the Employee Retirement System, which was subject to change.

City Manager Comments: None

Mayor Comments: Mayor reminded everyone of the Dancing with Our Stars Fundraiser event.

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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 Henderson, seconded by Councilmember Mitcham, the Council unanimously approved the Agenda as Amended.

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

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved the minutes from the regularly scheduled Council Meetings held on January 9, 2023 and January 23, 2023.

Now was the time set aside for a Public Hearing regarding the condemnation of property located at 706 28<sup>th</sup> Street North. Council President Alverson opened the Public Hearing at 6:05 p.m. Building Official Jerry Dailey advised that a plan of work had been received and was recommended for approval. Ms. Mary Domit, residing at 406 30<sup>th</sup> Street North appeared and questioned if she would be able to pull permits and continue with the work on the residence. There being no one else present, Council President Alverson closed the Public Hearing at 6:06 p.m.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved the plan of work submitted and to table **RESOLUTION NO 2023 – 5847** until June 26, 2023.

Now was the time set aside for a Public Hearing regarding the condemnation of property located at 17 22<sup>nd</sup> Street North. Council President Alverson opened the Public Hearing at 6:08 p.m. Building Official Jerry Dailey advised an acceptable plan of work had been received to demolish the structure. There being no one else present, Council President Alverson closed the Public Hearing at 6:08 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved the plan of work submitted and to table **RESOLUTION NO 2023 – 5848** until June 26, 2023.

Now was the time set aside for a Public Hearing regarding the condemnation of property located at 3312 Tyler Street. Council President Alverson opened the Public Hearing at 6:09 p.m. Building Official Jerry Dailey advised there had been no contact with the owner of the property but stated the tax certificate holder had advised the City was wasting time and funds notifying him with regard to the property. After a discussion regarding the status of the property and 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 Henderson, the Council unanimously approved to table **RESOLUTION NO 2023 – 5849** until March 27<sup>th</sup>, 2023.

Now was the time set aside for a Public Hearing regarding the condemnation of property located at 606 29<sup>th</sup> Street North. Council President Alverson opened the Public Hearing at 6:16 p.m. Building Official Jerry Dailey advised the property owner was deceased but contact had been made with the property owner's son who had since vacated the premises. Mr. Dailey advised the interior and exterior of the property had been inspected and he recommended the condemnation of the structure. There being no one else 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 – 5850** declaring the structure located at 606 29<sup>th</sup> Street North to be unsafe to the extent of being a Public Nuisance and Ordering the structure demolished.

Now was the time set aside for a Public Hearing regarding the condemnation of property located at 107 Lakeview Drive. Council President Alverson opened the Public Hearing at 6:17 p.m. Building Official Jerry Dailey advised a last-minute interior and exterior inspection had been conducted of the property. Mr. Dailey advised he had received a partial plan of work and recommended the approval with the amendments required. Mr. David Ellen residing at 980 Lilac Arbor Road, Dacula Georgia appeared and advised he had submitted the plan of work and would update the plan of work accordingly. There being no one else present, Council President Alverson closed the Public Hearing at 6:21 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously authorized an updated plan of work to be submitted and approved by Building Official Jerry Dailey and to table **RESOLUTION NO 2023 – 5851** until June 26, 2023.

Now was the time set aside for a Public Hearing regarding the condemnation of property located at 501 Wolf Creek Road South. Council President Alverson opened the Public Hearing at 6:23 p.m. Building Official Jerry Dailey advised the property owner was deceased and no contact had been made with any one regarding the structure. Mr. Dailey advised an exterior inspection had been conducted and recommended the property to be demolished. There being no one else present Council President Alverson closed the Public Hearing at 6:23 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO 2023 – 5852** declaring the structure located at 501 Wolf Creek Road South to be unsafe to the extent of being a Public Nuisance and Ordering the structure demolished.

Now was the time set aside for a Public Hearing regarding the condemnation of property located at 506 29<sup>th</sup> Street North. Council President Alverson opened the Public Hearing at 6:24 p.m. Building Official Jerry Dailey advised the interior and exterior of the property had been inspected and a plan of work had been provided. He advised the plan of work was recommended for approval with an amendment to the landing at the back door. Melanie Clough residing at 1 River Road, Gadsden appeared and stated that her client owned the property through a tax certificate. She advised that her client resided in California. City Clerk Sheree Pruitt confirmed that Ms. Clough's client was Lyn Concepcion. Ms. Pruitt also advised that per the title search and upon conversation with Ms. Concepcion the property was in fact sold in error by St. Clair County for the tax certificate and that Mr. Paul Golden was the rightful owner. Mr. Paul Golden appeared and advised the information provided by Ms. Pruitt was correct and that he was amenable to amending the plan of work with regard to the landing at the back door. There being no one else present Council President Alverson closed the public hearing at 6:28 p.m.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously authorized an updated plan of work to be submitted and approved by Building Official Jerry Dailey and to table **RESOLUTION NO 2023 – 5853** until June 26, 2023.

Now was the time set aside for a Public Hearing regarding the condemnation of property located at 113 3<sup>rd</sup> Street North. Council President Alverson opened the Public Hearing at 6:29 p.m. Building Official Jerry Dailey advised the interior and exterior of the property had been inspected which was authorized by a contractor of the mortgage company. Mr. Dailey recommended the property to be demolished. Hugh Smith residing at 2457 Acton Park Circle was present on behalf of the mortgage company. Mr. Smith advised he was requesting an extension of time to review the property and submit a rehabilitation plan of work. Lisa residing at 266 Old Macedonia Road appeared as the tax certificate holder of the property. She advised the property was in bad shape. There being no one else present Council President Alverson closed the Public Hearing at 6:36 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved to table **RESOLUTION NO 2023 – 5854** until March 13, 2023.

Now was the time set aside for a Public Hearing regarding the condemnation of property located at 3803 Stemley Bridge Road. Council President Alverson opened the Public Hearing at 6:37 p.m. Building Official Jerry Dailey advised the interior and exterior of the property had been inspected. Mr. Dailey recommended the property to be demolished. There being no one else present, Council President Alverson closed the Public Hearing at 6:37 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember Jenkins, the Council unanimously approved **RESOLUTION NO 2023 – 5855** declaring the structure located at 3803 Stemley Bridge Road to be unsafe to the extent of being a Public Nuisance and Ordering the structure demolished.

Now was the time set aside for a Public Hearing regarding the condemnation of property located at 2807 5<sup>th</sup> Avenue North. Council President Alverson opened the Public Hearing at 6:38 p.m. Building Official Jerry Dailey advised the interior and exterior of the property had been inspected. Mr. Dailey recommended the property to be demolished. There being no one else present, Council President Alverson closed the Public Hearing at 6:38 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023 – 5856** declaring the structure located at 2807 5<sup>th</sup> Avenue North to be unsafe to the extent of being a Public Nuisance and Ordering the structure demolished.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2023 – 5857** authorizing a modification to the Master Services Agreement with Paymentus.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5858** authorizing Cooperative Agreement with the Calhoun County Commission regarding recycling.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5859** authorizing the Opioid Settlement Agreements and Sign-On Agreements.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously nominated Councilmember Ivi McDaniel as the 2023 Voting delegate for the Alabama League of Municipalities Annual Business Meeting.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2023 – 5860** authorizing an agreement with Regional Planning Commission of Greater Birmingham for Pell City Board of Education Redistricting.

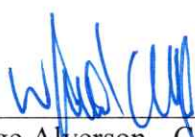
On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2023 – 5861** authorizing an Agreement with Alabama Power for Police Department Flock Safety Cameras.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5862** authorizing the receipt and disbursement of funds for the purchase of a drug detection K-9 with \$2,500 being expended from the Police Departments State Seizure Fund or Federal Seizure Fund.

On motion of Councilmember Henderson, seconded by Councilmember Jenkins, the Council unanimously approved **RESOLUTION NO. 2023 – 5863** authorizing a Part Time School Resource Officer Program which would remain in compliance with the Employee Retirement System.

City Attorney John Rea advised that the Council needed to enter into Executive Session to protect the good name and character of an individual and 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 30 minutes and did not expect any action from the session. At 6:44 p.m., Councilmember Mitcham made a motion to enter into Executive Session until 7:15 p.m. The motion was seconded by Councilmember McDaniel and unanimously approved by the Council. On roll call, those voting aye being: Council President Alverson, Councilmembers Mitcham, Henderson, Jenkins, McDaniel, and Mitcham. Nays: None. Council President Alverson declared the motion approved.

The Council adjourned, subject to the call of Council President Alverson from the Executive Session.

  
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W. Judge Alverson - Council President

ATTEST:

  
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Sheree D. Pruitt - City Clerk