

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, June 12, 2023. Present were Council President Alverson, Councilmembers Jay Jenkins, Blaine Henderson, and Jason Mitcham. Those present constituting the a quorum of the Council, Council President Alverson opened the meeting for discussion. Councilmember McDaniel was absent.

The invocation was led by Pastor Donald Gover.

The pledge to the American Flag was led by Council President Jud 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 an Engagement Letter with Bain & Company, P.C. Mr. Muenger advised that the Mayor was tasked with appointing an independent public accountant to conduct the audit of the City. He confirmed the City had again exceeded the Single Audit threshold of \$750,000 due to grants that were received and federal funding from the American Rescue Plan Act. Mr. Muenger advised the cost of the audit would not exceed \$65,000.

Utility Superintendent James Hadaway addressed the Council regarding a Sanitary Sewer Service Agreement with Five 22, LLC regarding property located at 2900 Martin Street South and Catanese Land, LLC for property located at 4300 Martin Street South. Mr. Hadaway advised that in business were not allowed to connect to a force main. He advised the cost of the connection was born solely by the property owner. City Manager Brian Muenger advised that a Sanitary Sewer Service Agreement had been previously authorized for the AOD located on Highway 34 (aka Stemley Bridge Road). City Attorney John Rea advised the agreement was designed to protect the City and stated a title search would be necessary to ensure the City is having the appropriate parties execute the agreements to include lien holders. Mr. Muenger stated that Mr. Rea would be conducting title searches on both properties in question.

Fire Marshal/Code Enforcement Officer addressed the Council with regard to setting a Public Hearing regarding grass/weed nuisances. Officer Harbison advised, the Council had pictures in their packets and stated the properties listed below were not in compliance with City Ordinance. Mr. Muenger advised Council there were a number of "repeat offenders" as defined by the Ordinance where abatement orders were granted through the Municipal Court.

3103 6 th Avenue North	Parcel No.: 22-09-31-3-001-033.000
46 Cogswell Avenue	Parcel No.: 28-02-03-2-000-016.000
297 Hazelwood Drive	Parcel No.: 23-07-25-0-002-067.000
305 30 th Street North	Parcel No.: 28-01-01-1-001-005.000
313 Ashley Drive	Parcel No.: 22-09-31-3-001-002.018
404 30 th Street North	Parcel No.: 23-07-36-4-005-052.000
504 30 th Street North	Parcel No.: 23-07-36-4-005-045.000
611 28 th Street North	Parcel No.: 23-07-36-4-004-017.000
815 19 th Street South	Parcel No.: 28-01-01-3-004-069.000
2805 5 th Avenue North	Parcel No.: 23-07-36-4-005-030.000
3227 6 th Avenue North	Parcel No.: 22-09-31-3-001-022.000
3227 7 th Avenue North	Parcel No.: 22-09-31-3-001-010.000
3311 Todd Street	Parcel No.: 22-09-31-3-001-002.032
3315 Cogswell Avenue	Parcel No.: 22-09-31-3-001-038.000
	Parcel No.: 22-09-31-3-001-044.001
4103 Stemley Bridge Road	Parcel No.: 29-04-19-4-000-008.013
4700 Traweek Lane	Parcel No.: 29-08-28-0-002-051.000
3108 6 th Avenue North	Parcel No.: 23-07-36-4-001-038.000
121 Pine Hill Drive	Parcel No.: 28-01-11-1-001-013.000
1117 1 st Avenue North	Parcel No.: 28-01-02-1-001-016.000

City Manager Brian Muenger addressed the Council regarding an appropriation and disbursement of funds to the Heart of Pell City for a Christmas Tree to be utilized in Downtown

Pell City. Mr. Muenger advised the organization had hosted the annual Christmas Tree Lighting Ceremony held in downtown Pell City which had utilized a live Christmas Tree. He confirmed the Heart of Pell City had been raising funds to allow the purchase of an appropriate size tree that could be utilized year after year. Mr. Muenger advised the County Commission had allocated \$5,000 toward the tree and requested the funds be paid to the City for disbursement. Mr. Muenger also advised the County Commission had requested the City contribute an equal amount toward the purchase of the tree.

City Manager Comments: Mr. Muenger advised the senior center roof had been installed and the docks were scheduled to be completed by the end of the week. He also reminded everyone there was an executive session scheduled.

Mayor Comments: Mayor Pruitt reminded everyone that Lakefest was scheduled over the weekend and invited them to the event.

City Attorney John Rea advised that the Council needed to enter into Executive Session to discuss potential litigation involving the City as well as a potential real estate transaction. Mr. Rea certified this qualified for Executive Session and did not expect the session to last any longer than 15 minutes and did not expect any action from the session. At 5:45 p.m., Councilmember Henderson made a motion to enter into Executive Session until 6:00 p.m. The motion was seconded by Councilmember Mitcham and unanimously approved by the Council. On roll call, those voting aye being: Council President Alverson, Councilmembers Jenkins, Mitcham, and Henderson. Nays: None. Council President Alverson declared the motion approved.

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, June 12, 2023. Present were Council President Jud Alverson, Councilmembers Jay Jenkins, Blaine Henderson, and Jason Mitcham. Councilmember Ivi McDaniel was absent. 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 Jenkins, 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 – 5911** authorizing an Engagement Letter with Bain & Company, P.C. for the FY21/22 Audit.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION 2023 – 5912** authorizing a Sanitary Sewer Service Agreement with Five 22, LLC for property located at 2900 Martin Street South.

On motion of Councilmember Mitcham, seconded by Councilmember Jenkins, the Council unanimously approved **RESOLUTION 2023 – 5913** authorizing a Sanitary Sewer Service Agreement with Catanese Land, LLC for property located at 4300 Martin Street South.

On motion of Councilmember Mitcham, seconded by Councilmember Jenkins, the Council unanimously approved **RESOLUTION NO. 2023 – 5914** setting a Public Hearing regarding grass weed nuisances for July 24, 2023 at 6:00 p.m.

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023 – 5915** authorizing an appropriation in the amount of \$5,000 and disbursement of funds from the St. Clair County Commission in the

amount of \$5,000 to the Heart of Pell City for a Christmas Tree to be utilized in Downtown Pell City.

City Attorney John Rea advised that the Council needed to re-enter into Executive Session to continue their discussion regarding potential litigation involving the City and a potential real estate transaction. Mr. Rea certified this qualified for Executive Session and did not expect the session to last any longer than 15 minutes and did not expect any action from the session. At 6:05 p.m., Councilmember Henderson made a motion to enter into Executive Session until 6:20 p.m. The motion was seconded by Councilmember Mitcham and unanimously approved by the Council. On roll call, those voting aye being: Council President Alverson, Councilmembers Henderson, Jenkins, and Mitcham. Nays: None. Council President Alverson declared the motion approved.

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