

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, September 11, 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 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.

There were no comments regarding the minutes from the regularly scheduled council meeting held on August 28, 2023.

Monica Carwell addressed the Council regarding her water bill for her residence located at 3175 Boardwalk Lane. Ms. Carwell advised that her bill had slowly increased \$322.53 from approximately \$90.00. She advised that if she is not approved for a credit, she will have spent over \$900.00 for three months. James Hadaway with the Utility Department provided information on the data log that was provided on the account. Mr. Hadaway advised that typically this type of situation there would be a toilet running, or a small leak that opens more vastly. He stated the range had been happening over a course of several months, but confirmed that it had stopped on July 9<sup>th</sup>. City Manager Brian Muenger confirmed the three highest bills as being May 15, 2023, June 14, 2023, and July 17, 2023. Council President Alverson advised that someone would be in touch with Ms. Carwell.

City Manager Brian Muenger addressed the Council regarding the Holiday Schedule for Fiscal Year 2023/2024. Mr. Muenger advised it was in sync with previous years.

City Clerk Sheree Pruitt addressed the Council regarding the final plat for Horizons Phase 5, Sector 1. Mrs. Pruitt advised the Final Plat presented had been reviewed and financial surety had been received. She confirmed the Final Plat came with a unanimous recommendation for approval from the Planning Commission.

City Manager Brian Muenger addressed the Council regarding the authorization to purchase bleachers for the Park and Recreation Department. Mr. Muenger advised it was an issue that had been noted during the Worker's Compensation review. Park and Recreation Director Bubba Edge advised he had solicited quotes for retro fitting the current bleachers and purchasing new bleachers. Mr. Edge confirmed the difference in cost was insignificant based on the age of the current bleachers and recommended the Council approve purchasing fifteen new sets of bleachers from BSN Sports.

City Clerk Sheree Pruitt addressed the Council regarding the lease with Kyocera for copiers. She advised overall it was a cost savings to replace and upgrade the existing machines. Ms. Pruitt also confirmed that Kyocera had allowed an amendment to the agreement that allowed for the copies to be distributed amongst the City as a whole instead of limiting per department.

City Clerk Sheree Pruitt addressed the Council regarding setting a Public Hearing on October 23, 2023 at 6:00 p.m. to consider assessing abatement costs to the following properties:

- |                            |                                   |
|----------------------------|-----------------------------------|
| • 121 Pine Hill Drive      | Parcel ID: 28-01-11-1-001-013.000 |
| • 46 Cogswell Avenue       | Parcel ID: 28-02-03-2-000-016.000 |
| • 3305 Stemley Bridge Road | Parcel ID: 29-04-19-1-000-008.000 |

Ms. Pruitt advised the properties were declared a nuisance and ordered abated. She confirmed the properties were abated by City personnel and the costs were calculated using the FEMA Guidelines.

City Clerk Sheree Pruitt addressed the Council regarding an annexation petition for property located at 65 Walkers Crossing Road. Ms. Pruitt advised the property was contiguous with the City Limits and the request came due to the owner of the property needing City Water. She confirmed the petition came with unanimous recommendation for approval.

City Manager Brian Muenger addressed the Council regarding an agreement with webRemit for the use of Jaguar Software's webRemit Service. Mr. Muenger advised the water payments were being processed through lockbox and explained the issues that had occurred with the process. He expressed his desire to bring this function back in house to process payments. Mr. Muenger confirmed the cost was \$2,000 per month with an ability to scale.

Police Chief Clay Morris addressed the Council regarding the Fiscal Year 2023/2024 rates for the Animal Control Center. Clay advised the requests were in line with inflation, and percentage of intake. City Manager Brian Muenger advised the increase was applicable to the City as well.

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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, September 11, 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 presented.

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

On motion of Councilmember McDaniel, seconded by Councilmember Jenkins, the Council unanimously approved the minutes from the regularly scheduled Council Meetings held on August 28, 2023.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2023 – 5962** authorizing the Holiday Schedule for the City of Pell City for Fiscal Year 2023/2024.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5963** authorizing the Final Plat for Horizons Phase 5 Sector 1.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023 – 5964** authorizing the purchase of replacement bleachers for the Park and Recreation Department.

On motion of Councilmember McDaniel, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2023 – 5965** authorizing a lease agreement with Kyocera for the lease of copiers for the City.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2023 – 5966** setting a Public Hearing to determine whether the following properties are in violation of Ordinance 2018-4920. (*October 23, 2023*)

- 450 Hillstone Drive Parcel ID: 22-09-31-4-000-019.019
- 606 29<sup>th</sup> Street North Parcel ID: 23-07-36-4-005-017.000
- 2815 Ridgeway Road Parcel ID: 29-03-06-3-001-002.000
- 11 21<sup>st</sup> Street North Parcel ID: 29-02-09-0-003-013.003
- 22 1<sup>st</sup> Street North Parcel ID: 28-02-03-1-002-027.000
- 100 Biggin Circle Parcel ID: 22-09-31-4-000-005.027

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved setting a Public Hearing on October 23, 2023 at 6:00 p.m. to consider assessing abatement costs to the following properties:

- 121 Pine Hill Drive Parcel ID: 28-01-11-1-001-013.000
- 46 Cogswell Avenue Parcel ID: 28-02-03-2-000-016.000
- 3305 Stemley Bridge Road Parcel ID: 29-04-19-1-000-008.000

Council President Alverson introduced the following ordinance authorizing the annexation of property located at 65 Walkers Crossing Road (29-05-21-0-001-015.000).

**ORDINANCE NO. 2023 - 5967**

**AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE CITY OF PELL CITY, ALABAMA, TO INCLUDE ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA.**

**WHEREAS**, all of the owners of the following described real estate situated in St. Clair County, Alabama, to-wit:

A parcel of property located in the SW 1/4 of the SW 1/4 of Section 21, Township 17 South, Range 4 East in St. Clair County, Alabama, being described as follows:

Commence at the NE corner of said 1/4 -1/4 and run south 00 degrees 37 minutes 31 seconds east along the east line of said 1/4-1/4 602.58 feet; thence run south 89 degrees 23 minutes 41 seconds west 669.86 feet to the point of beginning; thence run south 89 degrees 23 minutes 41 seconds west 155.05 feet, thence run south 01 degrees 10 minutes 04 seconds west 278.91 feet to the northerly ROW of Walkers Crossing; thence run north 63 degrees 20 minutes 06 seconds west along said ROW 22.16 feet; thence run north 01 degrees 10 minutes 04 seconds east 485.75 feet; thence run north 89 degrees 23 minutes 41 seconds east 176.10 feet; thence run south 01 degrees 26 minutes 31 seconds west 217.04 feet to the point of beginning, containing 1.00 acre. According to the survey of Carl G. Moore, LS #10096, dated January 31, 2007."

PARCEL # 29-05-21-0-001-015.000

Did file a written petition, duly signed by Hunter Bowden, requesting that said described territory in the petition be annexed to the City of Pell City and zoned R-A (Residential Agricultural District) under the provisions of § 11-42-21, *Code of Alabama*, 1975; and

**WHEREAS**, said petition did have attached thereto, marked "Exhibit A", an accurate description of said territory proposed to be annexed, together with a map of said territory showing its said relationship to the corporate limits of the City of Pell City, all as is required under the provisions of said § 11-42-21; and

**WHEREAS**, the City Council of the City of Pell City has heretofore examined the aforesaid petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the City of Pell City and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality, and that all of the owners of said described lands joined in said petition by affixing their signatures thereto.

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

Section 1. That said petition of all of the owners of the following described lands situated in St. Clair County, Alabama, to-wit:

A parcel of property located in the SW 1/4 of the SW 1/4 of Section 21, Township 17 South,

Range 4 East in St. Clair County, Alabama, being described as follows:

Commence at the NE corner of said 1/4 -1/4 and run south 00 degrees 37 minutes 31 seconds east along the east line of said 1/4-1/4 602.58 feet; thence run south 89 degrees 23 minutes 41 seconds west 669.86 feet to the point of beginning; thence run south 89 degrees 23 minutes 41 seconds west 155.05 feet, thence run south 01 degrees 10 minutes 04 seconds west 278.91 feet to the northerly ROW of Walkers Crossing; thence run north 63 degrees 20 minutes 06 seconds west along said ROW 22.16 feet; thence run north 01 degrees 10 minutes 04 seconds east 485.75 feet; thence run north 89 degrees 23 minutes 41 seconds east 176.10 feet; thence run south 01 degrees 26 minutes 31 seconds west 217.04 feet to the point of beginning, containing 1.00 acre. According to the survey of Carl G. Moore, LS #10096, dated January 31, 2007."

PARCEL # 29-05-21-0-001-015.000

Requesting that the same be annexed to the City of Pell City, Alabama, and zoned as R-A (Residential Agricultural District) be and the same is hereby approved.

Section 2. That the City Council of the City of Pell City does hereby assent to the annexation of the said described lands to the City of Pell City and the corporate limits of the City of Pell City be and the same are hereby extended and rearranged so as to embrace and include said described lands and that the same shall become a part of the corporate area of the City of Pell City, Alabama, and zoned as R-A (Residential Agricultural District) upon the date of the publication of this Ordinance.

Section 3. That this Ordinance shall become effective upon passage, approval and publication as required by law.

**ADOPTED AND APPROVED** this 11<sup>th</sup> day of September 2023.

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, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously adopted said ordinance authorizing the annexation of property located at 65 Walkers Crossing Road. The motion was seconded by Councilmember Henderson. 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 Henderson, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2023 – 5968** authorizing an agreement with webRemit for the use of Jaguar Software's webRemit Service.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved the FY23/24 rates for the Animal Control Center.

City Attorney John Rea advised that the Council needed to enter into Executive Session to 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. Mr. Rea stated he did not expect any action from the session. At 6:15 p.m., Councilmember McDaniel made a motion to enter into Executive Session for approximately thirty minutes. 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.

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



W. Judge Alverson - Council President

ATTEST:

  
Sheree D. Pruitt - City Clerk