

STATE OF ALABAMA
ST. CLAIR COUNTY

The City Council of the City of Pell City met in organizational session at the James McGowan Council Chambers at 6:00 p.m. on Monday, November 2, 2020. Present were Mayor Bill Pruitt, Councilmembers Jay Jenkins, Ivi McDaniel, Blaine Henderson, Jason Mitcham and Jud Alverson. Those present constituting the entirety of the council, the following business was transacted:

The invocation was led by Reverend A.L. Courtney.

The pledge to the American flag was led by Chief Paul Irwin.

The Oath of Office was administered by Judge Phil Seay to the Incoming City Council and Mayor.

The City Clerk called the meeting to order.

City Clerk Penny Isbell asked for nominations for Council President. Councilmember Mitcham nominated Councilmember Jud Alverson for the Office of Council President. The nomination was seconded by Councilmember Henderson. There being no further nominations, the City Clerk called for a roll call vote. Those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham and Alverson. Nays: None. Councilmember Alverson was declared unanimously elected to the Office of Council President.

The meeting was then turned over to Council President Alverson.

Council President Alverson expressed his gratitude, appreciation and thanked everyone for their consideration and nomination.

Council President Alverson asked for nominations for Council President Pro Tempore. Councilmember Henderson nominated Councilmember Jason Mitcham. The nomination was seconded by Councilmember McDaniel. There being no further nominations, the Council President called for a roll call vote. Those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham and Council President McGowan. Nays: None. Council President Alverson declared Councilmember Mitcham unanimously elected to the Office of Council President Pro Tempore.

Council President Alverson called for a motion to approve **RESOLUTION NO. 2020-5416** appointing Brian Muenger as City Manager. Councilmember Jenkins made a motion to approve **RESOLUTION NO. 2020-5416**. The motion was seconded by Councilmember Mitcham and unanimously approved by the council. On roll call vote, those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham and Council President Alverson. Nays: None. Council President Alverson declared Brian Muenger duly appointed as City Manager.

Council President Alverson called for a motion to approve **RESOLUTION NO. 2020-5417** approving the Employment Agreement with W. Brian Muenger as City Manager for the City of Pell City. Councilmember Mitcham made a motion to approve **RESOLUTION NO. 2020-5417** approving the Employment Agreement with W. Brian Muenger. The motion was seconded by Councilmember Henderson and unanimously approved by council. On roll call vote those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham and Council President Alverson. Nays: None. Council President Alverson declared the Resolution approved.

Council President Alverson called for a motion to approve **RESOLUTION NO 2020-5418** appointing Sheree D. Pruitt as City Clerk for the City of Pell City. Councilmember Henderson made a motion to approve **RESOLUTION NO. 2020-5418** appointing Sheree D. Pruitt as City Clerk. The motion was seconded by Councilmember Jenkins and unanimously approved by council. On roll call vote those voting aye being: Councilmember Jenkins, McDaniel,

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

Council President Alverson called for a motion to approve **RESOLUTION NO. 2020-5419** appointing Theresa St. James as the City Treasurer for the City of Pell City. Councilmember Mitcham made a motion to approve **RESOLUTION NO. 2020-5419** appointing Theresa St. James as City Treasurer. The motion was seconded by Councilmember McDaniel and unanimously approved by Council. On roll call vote those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham and Council President Alverson. Nays: None. Council President Alverson declared the Resolution approved.

Council President Alverson called for a motion to approve **RESOLUTION NO. 2020-5420** appointing Timothy Kurzejeski as Fire Chief for the City of Pell City. Councilmember Jenkins made a motion to approve **RESOLUTION NO. 2020-5420** appointing Timothy Kurzejeski as Fire Chief. The motion was seconded by Councilmember Mitcham and unanimously approved by Council. On roll call vote those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham and Council President Alverson. Nays: None. Council President Alverson declared the Resolution approved.

Council President Alverson called for a motion to approve **RESOLUTION NO. 2020-5421** appointing Paul Irwin as Chief of Police for the City of Pell City. Councilmember Mitcham made a motion to approve **RESOLUTION NO. 2020-5421** appointing Paul Irwin as Police Chief. The motion was seconded by Councilmember Jenkins and unanimously approved by Council. On roll call vote those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham and Council President Alverson. Nays: None. Council President Alverson declared the Resolution approved.

Council President Alverson called for a motion to approve **RESOLUTION NO. 2020-5422** appointing James Hadaway as Utility Manager for the City of Pell City. Councilmember Henderson made a motion to approve **RESOLUTION NO. 2020-5422** appointing James Hadaway as Utility Manager. The motion was seconded by Councilmember Mitcham and unanimously approved by council. On roll call vote those voting aye being: Councilmember Jenkins, McDaniel, Henderson, Mitcham and Council President Alverson. Nays: None. Council President Alverson declared the Resolution approved.

Council President Alverson introduced the following ordinance regarding the Recording of Roll Call Vote for the new administration:

ORDINANCE NO. 2020 - 5423

**AN ORDINANCE AMENDING ORDINANCE 2004-1801, AS PREVIOUSLY AMENDED,
TO REVISE THE RULES OF PROCEDURE FOR MEETINGS AND DELIBERATIONS
OF THE CITY COUNCIL OF THE CITY OF PELL CITY, ALABAMA**

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

Section A: That the provisions of Section 8 of Ordinance 2004-1801, as previously amended, are hereby amended to read as follows:

Section 8. Recording Vote; Calling for Division on Question: Whenever it shall be required by one or more members, the "yeas" and "nays" shall be recorded, and any member may call for a division on any question. When a roll call vote is requested, the council members shall be called to vote in rotating alphabetical order per meeting as set forth herein, provided that the council president shall always vote last. It shall not be in order for any member to explain his or her vote during the calling of "yeas" and "nays."

The order in which names will be called for roll call votes shall be as follows:

- A. All council members will be listed in alphabetical order by last name.
- B. All roll call votes will be called in alphabetical order, beginning at various positions on the list for each council meeting, provided that the council president's name is excluded from this rotation and always votes last.
- C. During the first meeting, any roll call votes shall begin at the top of the list and proceed down. During the second meeting, any roll call votes shall begin with the second name

and proceed down the list with the last name called being the council member called first during the previous meeting. This rotating procedure shall continue for subsequent meetings.

- D. A council member's absence will have no effect on the rotation.
- E. The clerk will maintain the record of rotation for roll call votes, and the sequence will continue from meeting to meeting. Provided, however, that the clerk's failure to call the roll in compliance with the rotating procedure set forth herein shall not in any way undermine or call into question the validity of the vote taken or the ordinance, resolution, or action approved or denied.

Section B: Severability. If any section or provision of this Ordinance shall hereafter be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of any other section or provision of this Ordinance.

Section C: Repeal of Conflicting Ordinances. Any Ordinance in conflict with this Ordinance shall be and is hereby repealed on the effective date of this Ordinance.

Section D: Effective Date. This Ordinance shall become effective upon approval, passage 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 Mitcham. 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.

Councilmember Henderson then moved that said ordinance be now placed upon its final passage and adopted. The motion was seconded by Councilmember McDaniel. 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, McDaniel, Henderson, Mitcham and Council President Alverson. Nays: None. Council President Alverson declared the motion approved and the ordinance adopted.

Mayor Bill Pruitt thanked everyone for their support for the previous four years and expressed his excitement for the next four years.

Council President Alverson echoed Mayor Pruitt's comments.

Council President Alverson announced, without objection, that all other business was hereby carried over to the next regular meeting of the council scheduled for November 9, 2020. The work session will be held at 5:30 p.m. and the council meeting will be held at 7:00 p.m. in the James McGowan Council Chambers at City Hall.

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



W. Judge Alverson - Council President

ATTEST:



Sheree D. Pruitt - City Clerk