

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, December 13, 2021. Present were Council President Jud 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 Reverend 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.

There were no comments on the minutes of the regularly scheduled council meetings held on November 22, 2021.

There were no comments on the minutes of the special called council meeting held on December 6, 2021.

City Manager Brian Muenger addressed the Council regarding the 772 Amendment Public Hearing. Mr. Muenger advised there were materials in the packet for review and stated any comments would be heard during the Public Hearing at 7:00 p.m.

City Manager Brian Muenger addressed the Council with regard to fixing the abatement costs to the property located at 3103 6th Avenue North. Mr. Muenger advised the property was abated by the street department personnel and confirmed the equipment cost was calculated using the FEMA rate schedule. Mr. Muenger advised the Public Hearing was necessary to assess the costs to the property.

City Manager Brian Muenger addressed the Council regarding the properties located at the following addresses:

- Property Located on Woodhaven Way
- 402 Wolf Creek Road South
- 501 Wolf Creek Road South
- 3107 6th Avenue North

Mr. Muenger advised the property owners were provided letters regarding the overgrowth of grass/weeds on their property. He advised the letters were provided via registered mail, yards posted and stated the properties were not in compliance with the City Ordinance.

Park and Recreation Director Bubba Edge addressed the Council regarding an agreement with Pyro Shows for the July 4, 2022 Fireworks show. Mr. Edge confirmed the show would be the same as in the past including the date and time.

City Manager Brian Muenger Addressed the Council with regard to declaring sirens within the City limits as surplus property. Mr. Muenger advised if approved he had received pricing confirmation from the company conducting the same work for the County. He stated that if the Council chose to keep the sirens, the City would be responsible for triggering and sounding the alerts.

Assistant Fire Chief Clevenger addressed the Council regarding the Assistance to Firefighter Grant Program. He advised they were looking to apply for the FEMA 2021 grant to purchase wireless headsets. Clevenger stated the purchase of the headsets would also cover the NFPA standards for hearing protection on the apparatus.

City Manager Brian Muenger addressed the Council regarding the business license ordinance amendments. Mr. Muenger advised if approved it would allow one clean copy of the ordinance

and stated the main changes were with regard to Mobile Food Vendors, lessors of residential/commercial properties and removing duplicate NAICS codes such as schedule G. Mr. Muenger suggested that increasing the minimum gross receipts to \$10,000 would be most palatable.

City Manager Brian Muenger addressed the Council regarding the sponsorship of tourism community maps. He advised the maps were scaled down and placed in the Council packet. Mr. Muenger stated the maps had not been updated since at least 2017.

City Manager Brian Muenger addressed the Council regarding the 2021 Christmas Luncheon. He advised the lunch was scheduled for Friday and confirmed pre-clearance from the Ethics Commission had been received.

City Manager Comments: None

Mayor Comments: None.

The City Council of the City of Pell City met in a regularly scheduled council meeting at City Hall at 7:00 p.m. on Monday, December 13, 2021. Present were Council President Alverson, Councilmembers Jay Jenkins, Blaine Henderson, Ivi McDaniel, and Jason Mitcham. Those present constituting a quorum of the Council, Council President Alverson opened the meeting for discussion.

The City Clerk had roll call for attendance.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved the agenda as presented.

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 McDaniel, the Council unanimously approved the minutes of the regularly scheduled council meeting held on November 22, 2021.

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved the minutes from the regularly scheduled council meeting held on December 6, 2021.

Now was the time set aside for a Public Hearing to discuss a 772 amendment regarding an economic development project. City Attorney John Rea advised the purpose was to consider a project development agreement with Noon Pell City, LLC developer of the project on the old hospital property which consisted of approximately 19 acres. He advised the property contained economic incentives and operating under the procedure of the amendment 772 allowed public entities to provide economic incentives with private and industrial developments. Mr. Rea confirmed the process was commonly used to incentivize developers. He stated that a public notice was given by publicizing in the news paper providing the nature of the incentive, the incentive being provided, and the economic gains to be achieved by the Public. Mr. Rea confirmed he had a copy of the publication and offered it for review. Don Smith with the St. Clair County Economic Development Council addressed the Council regarding the nature of the incentive. He advised an agreement was drafted and included in the packet along with the resolution. Mr. Smith stated that anyone from the Public could request to review the agreement and welcomed input and comments on the project. He advised if it was approved it would allow the next step in the process which included a validation lawsuit. Kevin Jennings and Jamie Flegal with Noon Development addressed the Council regarding the project. He advised they had completed ten projects together and confirmed the Sylacauga development had brought in nearly thirty million in sales. Don Smith advised there was a lot of infrastructure involved to including parking lots, lights, and stated there were some deficits to overcome. He advised a bond in the amount of \$6.25 million would be issued which would be created after the meeting if approved. Mr. Smith confirmed this bond would not affect the debt of the City and stated there would be a one percent improvement district fee. He stated the incentive was used for the movie theatre, two car dealerships, and the retail center where K-mart was located. Mr. Smith advised the estimated tax revenue was twenty-one million

dollars, add one to two hundred new jobs. Mr. Smith stated the project comes with a recommendation from the Economic Development Council.

Council President Alverson opened the Public Hearing at 7:15 p.m.

Mr. Bill Ellison was present to speak regarding the development. He advised that approximately four and a half years had passed and McSweeney had just torn all the trees down to build their dealership. Mr. Ellison said things developed and evolved and said that was why we were there for the Public Hearing. He advised it had taken longer than he thought but believed it was a fantastic opportunity. Councilmember Jay Jenkins thanked Mr. Ellison for his work over the previous years. Mr. Jenkins stated that it was Bill who had bought Walmart, then Publix to the City of Pell City. City attorney John Rea an additional incentive was the City was providing an option to Noon to purchase the property and stated the purchase price was part of the agreement. Council President Alverson stated they were also working to recruit national sit-down restaurants. Councilmember Jenkins expressed that visibility was important and said he believed no one would go anywhere unless an incentive was offered.

There being no one else present, Council President Alverson closed the Public Hearing at 7:30 p.m.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2021 - 5612** authorizing a 772 Amendment regarding an economic development project

Now was the time set aside for a Public Hearing to discuss assessing the weed abatement costs to the property located at 3103 6th Avenue North. Council President Alverson opened the Public Hearing at 7:31 p.m. there being no one present regarding the matter he closed the Public Hearing at 7:31 p.m.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2021 - 5613** assessing the abatement costs against 3103 6th Avenue North.

Now was the time set aside for a Public Hearing to declare the following properties a nuisance and order them abated.

- Property Located on Woodhaven Way
- 402 Wolf Creek Road South
- 501 Wolf Creek Road South
- 3107 6th Avenue North

Council President Alverson opened the Public Hearing at 7:33 p.m.

Ron who resided at 437 Woodhaven Way was present and stated that he wanted to make sure something was going to be done regarding the property across the street from his residence. He advised that nothing had been done to the property and advised it was unsightly.

There being no one else present, Council President Alverson closed the Public Hearing at 7:34 p.m.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2021 - 5614** declaring property located on Woodhaven Way a nuisance and ordering it abated.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2021 - 5615** declaring property located 402 Wolf Creek Road South a nuisance and ordering it abated.

On motion of Councilmember Mitcham, seconded by Councilmember Jenkins, the Council unanimously approved **RESOLUTION NO. 2021 - 5616** declaring property located 501 Wolf Creek Road South a nuisance and ordering it abated.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2021 - 5617** declaring property located 3107 6th Avenue North a nuisance and ordering it abated.

On motion of Councilmember Jenkins, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2021 - 5618** authorizing an agreement with Pyro Shows for the July 4, 2022 Fireworks Show.

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2021 - 5619** authorizing the disposal of warning sirens located within the City Limits of Pell City.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2021 - 5620** authorizing the submittal of a grant application to the Assistance of Firefighter Grant Program.

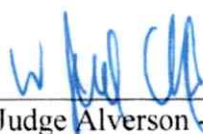
Council President Alverson introduced **ORDINANCE 2021 - 5621** amending the current business license ordinance.

Councilmember Henderson 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 resolution 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 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, McDaniel, 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. 2021 - 5622** authorizing a sponsorship of tourism community maps.

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