

CITY OF PELHAM – WORK SESSION
Pelham City Hall – Conference Room
November 6, 2017 – 6:00 p.m.

MINUTES

Proper notice of the regularly scheduled Pelham City Council Work Session was given in advance of such public meeting and the notice remained posted throughout the scheduled meeting.

Members of the Pelham City Council met November 6, 2017 at 6:00 p.m. The regular work session was held in the Council Conference Room in Pelham City Hall and was open to the public.

Call to Order

The work session was called to order by Council President Hayes at 6:03 p.m.

Record of Attendance

The following elected officials were present:

Council President Rick Hayes
Councilmember Ron Scott
Councilmember Beth McMillan
Councilmember Maurice Mercer
Councilmember Mildred Lanier
Mayor Gary Waters

Media Present: None

Others Present: City Manager, City department heads, city employees and members of the public

Approval of Minutes

A motion was made by Councilmember McMillan to approve the October 16, 2017 Regular Council Work Session Minutes. The motion was seconded by Councilmember Scott and passed unanimously by voice vote of those members present.

Mayor Waters' Comments

Mayor Waters updated the city council on a recent Zoning Board of Adjustments (ZBA) meeting. He stated the special meeting was called on behalf of FSI Green Park South LLC, the owner of Green Park South Mobile Home Park. They were petitioning the ZBA for a variance to the zoning ordinance which prohibits the replacement of mobile homes in the Green Park South Mobile Home Park. Mayor Waters stated his 2013 letter was sent to the property owners and it was not his interpretation of the ordinance. He said he simply restated the language of the ordinance in his letter. Mayor Waters further stated he was very open about the city's position of non-conforming properties. He referenced the 2002 Comprehensive Plan where the citizens of Pelham had input into the city's issues and long-term plans. Mayor Waters said, according to the Comprehensive Plan, aging mobile homes were a problem in the City of Pelham. Mayor Waters said by unanimous consent the ZBA agreed with his interpretation of the zoning ordinance and denied FSI Green Park South LLC request for a variance.

City Manager's Comments

1. City Manager DiFante discussed the ongoing work at Pelham Civic Complex & Ice Arena. She stated Building Official Bob Miller has been named construction manager with full authority to make decisions on behalf of the city. She said the city is working to complete the renovations as soon as possible, but is even more focused on making sure that all of the renovations in progress are safe before each game.
2. Thanked Police Chief Larry Palmer for catching those individuals responsible for the vehicle break-ins in Pelham. She said there have been a large number of vehicle break-ins in this area over the past three weeks. Arrests were made last night. Remember to lock your car.
3. Noted "No Shave November" was in full swing in Pelham. She stated money raised during this event goes to families facing terminal illnesses. Chief Palmer said the Pelham Police Department will do whatever is needed to help these families.

Council President Hayes thanked all city employees for their efforts in making the first hockey game at the Pelham Civic Complex & Ice Arena a success. He said that it took a truly Herculean effort by all of the City employees that helped to get the facility ready for the first game because of the ongoing renovations.

Review of Council Agenda

Council President Hayes reviewed the November 6, 2017 city council agenda.

H. Proclamations

Declaring November 2017 as National Hospice and Palliative Care Month

J. Requests to Address the Council

1. Debbie Grebeldinger, Alabama Youth Ballet Company, *The Nutcracker*
2. Mr. Ted McIntyre, owner of Wellness Massage, LLC, requesting an exception to the business license moratorium

K. Old Business – Resolutions – Ordinances – Orders and Other Business - None

L. New Business – Resolutions – Ordinances – Orders and Other Business

1. **Resolution 2017-11-06-01** for consideration to approve an Addendum to the Memorandum of Agreement with Shelby County, Alabama for the Outdoor Basketball and Sand Volleyball Courts / Trailhead Pavilion Project at the Pelham City Center

City Manager DiFante discussed the additional items in the bid document and the importance of those items. She said Shelby County has agreed to fund a large portion of the additional expenses, which include showers, sidewalks, landscaping, court edge, seating, picnic tables, irrigation and removable bollards. Mrs. DiFante thanked Parks and Recreation Director Billy Crandall and Shelby County for making this project a reality. Council President Hayes said this is an exciting project for Pelham. He noted the City added \$100,000 in the final version of the FY2018 budget to help pay for the alternate items that Billy Crandall and Shelby County have recommended while Shelby County has agreed to provide the additional funding to cover the remainder of the recommended alternate item costs.

2. **Resolution 2017-11-06-02** for consideration to accept the lowest responsive and responsible bid for the Outdoor Basketball and Sand Volleyball Courts / Trailhead Pavilion Project at the Pelham City Center from Wayne Davis Construction, LLC

Council President Hayes noted Resolution 2017-11-06-02 was on the agenda to approve the project, including the alternates.

3. **Resolution 2017-11-06-03** for consideration of a request by Wellness Massage, LLC for approval of their application to purchase a business license

Council President Hayes noted the request by Ted McIntyre to address the city council. Council President Hayes spoke to the changes made to modify the original resolution in the adopted ordinance. Commercial Development Authority (CDA) Chairman Lenny Glynn also spoke. He said the CDA had asked a lot of questions of Wellness Massage, LLC, including time of operation and revenue projections. Mr. Glynn said several questions were left unanswered during the public hearing to discuss the business license application of Wellness Massage, LLC. He further stated the CDA voted unanimously not to recommend the approval of a business license for Wellness Massage, LLC.

4. **Resolution 2017-11-06-04** for consideration to approve an ABC license application for Ooka Sushi Restaurant located at 2005 Valleydale Road Suite 5 and 6

Police Chief Larry Palmer stated he had no concerns with the ABC license application request. The owners and manager of the restaurant were in attendance.

5. **Resolution 2017-11-06-05** for consideration to approve a construction change order for the Pelham Civic Complex & Ice Arena

Council President Hayes said it was not his intent to request the approval of this change order tonight since the council had just received the details of the change order. He explained the varying conditions of the current concrete floor, as well as the numerous cuts and patches that had been required, was preventing a stained and polished finish from looking professional or finished. He stated that the architect and contractor had suggested the proposed aggregate surface alternative for a much better appearance in the restrooms and west seating area walkway. Council President Hayes also said the Complex staff had requested the current rubberized flooring be extended through the Arcade underneath the east stands. Civic Complex & Ice Arena Administrator Danny Tate said the installation of the rubberized flooring will make it consistent with other public areas of the Civic Complex and will dampen the noise level. Building Official Bob Milled noted the change would make the facility look “first class”. Council President noted the need to proceed as quickly as possible with the change order. Both Mayor Waters and City Manager DiFante agreed that it made sense to add the change order to tonight’s agenda. Councilmember Lanier moved to add Resolution 2017-11-06-05 to the agenda in an expense amount not to exceed \$37,215. Said motion was seconded by Councilmember Scott. There being no further discussion, the motion to add Resolution 2017-11-06-05 to the November 6, 2017 agenda passed unanimously by voice vote of those members present and the council president declared the same passed.

6. **Ordinance #331-01** for consideration to amend Ordinance No. 331 regarding entertainment events in the City of Pelham. **FIRST READING**

Chief Palmer addressed the proposed revisions to Ordinance 331. He stated the desire to “clean-up” the existing language and add the fire service to the ordinance. Councilmember Scott asked if the primary impact will be on Oak Mountain Amphitheater. Fire Chief Honeycutt said yes, but it was also clarified during the meeting that this would address open issues related to all large events in the City.

Councilmember Scott asked how the fire department had handled this venue in the past. Chief Honeycutt said in the past the city was dependent on the venue to provide the number of attendees. Based on this information, the fire department calculated the number of staff members needed to support the venue. Councilmember Scott asked about the pay structure for those members of the police and fire departments working the event. Chief Palmer said rates were updated several months ago. Councilmember Scott asked if Oak Mountain Amphitheater had reviewed the proposed ordinance revisions. Chief Palmer said they are aware of the changes under consideration. Councilmember Scott asked Chief Palmer to review the changes with Oak Mountain Amphitheater and other venues in the city. Chief Palmer said they were already making arrangements for next year's concert season. Councilmember Scott said he wanted to make sure Oak Mountain Amphitheater is in agreement with the proposed changes in the ordinance. Chief Palmer said he wants to be fair with all businesses in Pelham. Council President Hayes noted the proposed changes will also clarify the public safety personnel needed for Pelham Civic Complex & Ice Arena events. Chief Palmer mentioned a number of Pelham officers are also currently working security for local churches.

7. **Ordinance #487** for consideration to annex into the corporate limits of the City of Pelham 47.39 acres of real property owned by Elizabeth Sherman Pardue, et al, located along Shelby County Highway 11. **FIRST READING**

Tony DeJohn, represented the developer, Highpointe Properties, LLC. He stated the subject property was located along Highway 11 in unincorporated Shelby County. Mr. DeJohn said they are working with Harris-Doyle to build homes similar to Keeneland Valley in Pelham. Council President Hayes stated it was his understanding the development will have approximately 166 home sites, a pool and a club house.

(End of November 6, 2017 Agenda Review)

Old Business - NONE

New Business

1. State of the Pelham Board of Education Update – Superintendent Dr. Scott Coefield

Dr. Scott Coefield, Board Chairman Rick Rhoades and Chief Financial Officer Lauren Butts were in attendance.

Dr. Coefield discussed the following during his presentation to the Pelham City Council:

1. Enrollment has increased
2. Poverty rate has declined
3. School capacity - Looking at possibly rezoning to balance attendance at the elementary schools.
4. Finances – Currently has three months in reserves, but is planning to have two months in reserve at the end of this school year.
5. Future Projects
6. Bus fleet
7. College and Career Readiness
8. Academics

Dr. Coefield mentioned that he appreciates the BOE's relationship with this council, but is concerned that a future council could reallocate the 1% sales tax. He asked the city council to consider changing the related wording in the ordinance. Council President Hayes noted the sales tax ordinance can be changed by any future council if so desired and changing the language in the ordinance would not prevent this.

Councilmember McMillan asked about the sale of Riverchase Middle School related to the school's financials and Dr. Coefield addressed the intended use of the sale proceeds.

Public Announcements

1. The Birmingham Bulls will play their in-state rival (the Huntsville Havoc) this Friday night, November 10th, at 7:30 in the Pelham Civic Complex Main Arena.
2. City offices will be closed Friday, November 10th in observance of Veterans Day and Thursday and Friday, November 23rd and 24th, for the Thanksgiving Holidays.
3. The City of Pelham will host the Pelham Community Christmas Tree Lighting on Monday, November 27th, at the Pelham Civic Complex & Ice Arena. The activities will begin at 5:30 p.m. with the arrival of Santa in the Banquet Hall. The Christmas Tree Lighting Program will start at 6:30 p.m. in the Main Arena.
4. The Pelham Fire Department will be conducting a live fire training exercise on Thursday, November 9th and Monday, November 20th on Pelham Parkway behind the old Fran's Restaurant building. The training will begin at 8:00 a.m. and should conclude by 5:00 p.m.
5. The Pelham High School football team will travel to Spanish Fort for the first round of the 2017 playoffs this Friday, November 10th.

Adjournment

A motion to adjourn the work session was made by Councilmember Lanier and seconded by Councilmember Mercer. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 7:15 p.m.

Respectfully submitted this 6th day of November 2017,



Tom Seale, MMC, City Clerk /Treasurer



Rick Hayes, Council President

