



WORK SESSION
Pelham City Hall – Council Conference Room
October 1, 2018 – 5:45 p.m.

MINUTES

Proper notice of the regularly scheduled work session of the Pelham City Council was given in advance of such public meeting and the notice remained posted through the scheduled meeting.

Members of the Pelham City Council met October 1, 2018 at 5:45 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 5:50 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 Scott to approve the September 17, 2018 Regular Council Work Session Minutes.

The motion was seconded by Councilmember McMillan and passed unanimously by voice vote of those members present.

Mayor Waters' Comments – None

City Manager's Comments – None

Review of Council Agenda

Council President Hayes reviewed the October 1, 2018 city council agenda.

F. Public Hearing

For consideration to amend the zone district boundaries of the City of Pelham, changing the present zoning A-1 (Agricultural District) and O & I (Office & Institutional) to R-A (Apartment Dwelling District) and B-2 (General Business District). The subject property is located off Oak Mountain Drive and Amphitheater Road. Applicant: HES Investments, LLC

H. Proclamations

1. Declaring the week of October 7, 2018 as Fire Prevention Week in Pelham, Alabama

J. Requests to Address the Council

1. Tommy Barberini, General Manager of Oak Mountain Lanes, regarding the 2019 Alabama High School Athletic Association's State Championship Bowling Tournament.

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

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

1. **Ordinance No. 135-219** (First Reading) for consideration to amend the zone district boundaries of the City of Pelham, changing the present zoning A-1 (Agricultural District) and O & I (Office & Institutional) to R-A (Apartment Dwelling District) and B-2 (General Business District). The subject property is located off Oak Mountain Drive and Amphitheater Road. Applicant: HES Investments, LLC

Council President Hayes stated due to changes made to the Ordinance, an additional public hearing will be required to address the newly added items. Councilmember McMillan asked about the Exhibit B portion of Ordinance No. 135-219. Council President Hayes clarified that Exhibit B has not been included in the original draft of the Ordinance. Per the request of the city council, Council President Hayes explained the process for moving forward with the Ordinance.

2. **Resolution 2018-10-01-01** for consideration to approve an ABC License application for a 040 – Retail Beer (On or Off Premises) and a 060 – Retail Table Wine (On or Off Premises) license for Smiley Brothers Specialty Foods operating under the trade name C.B. Smiley Company Inc.

Councilmember Scott noted the applicant has been in the hospitality industry for a number of years and is familiar with the Responsible Vendor Program. Councilmember Scott stated he had no issues moving forward tonight with consideration of the Resolution.

3. **Resolution 2018-10-01-02** for consideration to enter into an agreement with the Alabama High School Athletic Association (AHSAA) and Oak Mountain Lanes regarding the State Bowling Championship

There were no additional no comments.

4. **Resolution 2018-10-01-03** for consideration to authorize the Pelham Civic Complex & Ice Arena to negotiate a purchase contract for the dasher board glass replacement project

Pelham Civic Complex & Ice Arena Administrator Danny Tate stated the project received no bids at the public bid opening held on September 26, 2018 at 11:00 a.m. He noted the staff is ready to move forward with the negotiation process. He estimated the project to cost approximately \$97,000.00. Mr. Tate said he will present the final agreement for the council's consideration in the coming weeks.

5. **Resolution 2018-10-01-04** for consideration to abolish a full-time position at the Pelham Civic Complex & Ice Arena

There were no additional comments.

6. **Resolution 2018-10-01-05** for consideration to adopt the Fiscal Year 2019 Budgets

Council President Hayes led the discussion for the review of the proposed Fiscal Year 2019 budget.

7. **Resolution 2018-10-01-06** for consideration to authorize the Mayor, on behalf of the city, to enter into an agreement with Verizon Wireless for installation of a small communications cell tower located at 500 Amphitheater Road

Council President Hayes stated this project has been in the works for many years. He noted the City's attorney has read over the agreement and recommends approval. Andy Rotenstreich, an attorney with Baker Donelson and representing Cellco Partnership, Inc. doing business as Verizon Wireless, stated the small cell tower will include a parking lot flood light. He added the cell tower should be operational in six to eight weeks.

8. **Resolution 2018-10-01-07** for consideration to authorize an agreement between the City of Pelham and Radical Creations Catering for concessions services at the Pelham Civic Complex & Ice Arena

Mr. Tate stated this venture is a step in the right direction to address concessions and catering issues of the past. He added this move is positive in the fact that it will help the facility maximize revenues and minimize food spoilage. Councilmember Scott inquired if the agreement is limited to only hockey events. Mr. Tate clarified the agreement includes some of the larger events held at the facility. He noted Radical Creations Catering offers food and beverage expertise as well as customer service assistance. He said the company will use the existing concessions locations while utilizing in-house staff. Councilmember Mercer inquired about the vendor selection process. Mr. Tate stated they had conducted research and talked with several catering companies. The Civic Complex & Ice Arena staff felt this company's services provided the best fit for their needs. He said they also came highly recommended by Sysco Corporation, one of the largest wholesale food distributors in the area. City Manager Gretchen DiFante said this company will be utilized for their concessions management as opposed to a catering company. Councilmember Lanier inquired about the staffing and if additional employees would be needed. Mr. Tate said additional staffing would be provided by the company. Mr. Tate said a minimum of three employees will be provided by the company. City Manager DiFante said Radical Creations Catering will provide planning, a timeline, as well as ordering food products to minimize food spoilage. Council President Hayes asked if third party vendors would still be allowed to partner with the Complex. Mr. Tate stated they would be allowed to. Councilmember Mercer asked if there was a termination clause in the contract. Director of Hockey Erik Hudson offered additional insight into the detail of the contract.

(End of October 1, 2018 Agenda Review)

Old Business

1. FY2019 Budget

Council President Hayes led the discussion for the review of the proposed Fiscal Year 2019 budget.

A motion was made by Councilmember Scott to recess the work session. Said motion was seconded by Councilmember Mercer. The motion to recess passed unanimously by voice vote of those members present. The work session was recessed at 7:39 p.m.

Council President Hayes called the work session back to order at 8:44 p.m.

New Business

1. Lindsay Puckett, Regional Planning Commission of Greater Birmingham

Lindsay Puckett, with the Regional Planning Commission of Greater Birmingham, provided an overview to the city council regarding Pelham's proposed Comprehensive Plan.

She announced the first Steering Committee Meeting is Thursday, October 11, 2018.

The Comprehensive Plan Kick-Off Open House is scheduled on October 23, 2018 from 11:00 a.m. until 1:00 p.m. and 5:30 p.m. until 7:00 p.m. at the Pelham Civic Complex & Ice Arena.

She explained the entire process takes between 9 and 12 months.

Executive Session

Council President Hayes stated for the record the purpose of the Executive Session was to discuss the legal ramifications of and legal options for pending litigation. Council President Hayes asked City Attorney Bent Owens if he agreed with the stated purpose of tonight's Executive Session. Mr. Owens said he agreed and added to also discuss pending lawsuits.

A motion was made by Councilmember Scott to enter into an Executive Session of the city council for the stated purpose. Said motion was seconded by Councilmember Mercer. Council President Hayes asked the city clerk/treasurer for a roll call vote. The vote to adopt said motion was recorded as follows:

Rick Hayes, Council President	<u>Yes</u>
Ron Scott, Council Member	<u>Yes</u>
Beth McMillan, Council Member	<u>Yes</u>
Maurice Mercer, Council Member	<u>Yes</u>
Mildred Lanier, Council Member	<u>Yes</u>

Council President Hayes asked the members of the city council, City Attorney Bent Owens, Mayor Gary Waters, City Manager Gretchen DiFante, City Clerk/Treasurer Tom Seale, Mike McGaughy, David Willingham, and Bob Miller to attend the executive session. Council President Hayes stated he expected the city council to return from the executive session in approximately 30 minutes.

Councilmember Scott moved to adjourn the executive session. Said motion was seconded by Councilmember McMillan. The motion passed unanimously by voice vote of those members present, and the executive session was adjourned at 10:08 p.m.

Adjournment

A motion to adjourn the work session was made by Councilmember Scott and seconded by Councilmember Mercer. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 10:09 p.m.

Respectfully submitted this 1st day of October 2018,



Tom Seale, MMC, City Clerk/Treasurer



Rick Hayes, Council President

