WORK SESSION

Pelham City Hall – Council Conference Room
February 18, 2019 – 6:00 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 February 18, 2019 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.

<u>Call to Order</u>

The work session was called to order by Council President Hayes at 6:01 p.m.

<u>Record of Attendance</u>

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

<u>Approval of Minutes</u>

A motion was made by Councilmember McMillan to approve the February 4, 2019 Special and Regular Council Work Session Minutes. The motion was seconded by Councilmember Mercer and passed unanimously by voice vote of those members present.

<u>Mayor Waters' Comments</u>

Mayor Waters spoke of the recent passing of Pelham business owner Walter Caron. He suggested adding Mr. Caron's name to the memorial obelisk in City Park. He said it was the right thing to do. He said to add Mr. Caron's name would require amending the memorial obelisk resolution. Councilmember Scott echoed Mayor Waters' comments and suggestions. He stated having very fond memories of Walter Caron pushing a food cart. Mayor Waters stated, if there was no opposition amongst the city council, he would present a resolution for city council consideration on March 4.

City Manager's Comments

City Manager Gretchen DiFante made the following comments:

- We have received permission from Steve Issis to gain a permanent landscape easement for a portion of his property between the sidewalk and the rear of his buildings across from the library and middle school entrances. We have the easement document in hand, and as soon as it is signed and recorded (in the deed records in the Probate Office), Mickey Dunnaway can begin to install the landscaping that was purchased late last year. We will be reinstalling the fencing along the back of Mr. Issis' property.

- Want to remind residents in flood prone areas that if streets are flooded, please call 911 and report those conditions to the police department. We have created a unique code to track flooded streets which is one of the very few reasons for which the city can release funding in non-city owned property. We need to track all flooding in public streets.

- Due to obvious activity on the city owned Blueberry Hill property, the city will be posting no trespassing signs (in accordance with Alabama Code) on the boundary of the property. We are also speaking directly with individuals/businesses whom we suspect may be using the property for recreational purposes.

- Personnel Board met last week to abolish all the positions in the Municipal Garage.

- Personnel Meetings will be scheduled March 7th and March 12th for the following purposes:

  1. Consider Accounting Manager position and Accounting/Purchasing Manager Position Job descriptions and pay scales for both positions for approval
  2. Consider revised Director of Parks and Recreation Position Description for approval
  3. HRM update on work being done on the contract with the city

HEROES Project

- Melody Whitten, Yvonne Murray, David Willingham and I have met with Bayer Properties and Cooper Carey Architects. Along with the Mayor Waters and other city staff members, we have also met with Daryl Skipper and Mark Gonzalez to discuss all prior work and reports available.

- Decided to develop a short list of architects for master planning Request for Qualifications (RFQ). The criteria for that list were:

  1. ICSC Member International Council of Shopping Centers (ICSC)
  Our mission is to ensure the retail real estate industry is broadly recognized for the integral role it plays in the social, civic and economic vibrancy of communities across the globe. Founded in 1957, today we have over 70,000 members joined together in one vibrant global community.

  2. Entertainment Experience Evolution Attendee

  3. And/or ICSC Design Awards

- The Commercial Development Authority financed one trip for 58 INC. to attend the Entertainment Experience Evolution in California last week. We have narrowed the list to 10 and will most likely narrow it even further before sending out the Request for Qualifications.

- After much discussion regarding master planning for the HEROES site, we have decided to utilize a multi-disciplinary team approach. Mark Gonzalez from Gonzalez Strength from the engineering side and Daryl Skipper from the traffic side along with Melody and Yvonne Murray from 58 INC., and city staff, will be preparing an RFQ for a Master Plan to include both an access and land use plan. In conjunction with the RFQ, we are also preparing an RFQ for a developer. Our intention is that the master development be done in conjunction with the developer we choose or is chosen by the master planner and a timeline with city council approval.

  In addition, we will be looking for a "quarterback" who will take the lead on project management. The ideal candidate will have a great deal of experience with project management of this magnitude as well as have the experience and connections bringing the project to potential commercial agents according with the master plan.

  This is the process used in Vestavia with Patchwork Farms. A city does not have this skill in-house, and with a development of this magnitude, we will need an outstanding "quarterback". Typically pay as a percentage of the development brought in or on retainer or a combination of the two.

- Will meet with Hoover officials on Wednesday to discuss logistics with regard to the Garage Services Agreement.

- Kim Kiel, Director of Athletics for Pelham City Schools, spoke about the recent Frostbite Tournament at the Pelham Racquet Club. She thanked Chaney Mills and the staff of the Pelham Racquet Club. She stated 28 teams participated in the tennis tournament. Ms. Kiel thanked the city for the wonderful facility and mentioned the excellent feedback she has received about the tournament. She further stated a middle school tournament was held at the Pelham Tennis Center. She said they are looking for opportunities to obtain tennis equipment for the school's physical education program in order to continue to grow the program. Council President Hayes thanked Ms. Kiel for her comments.

<u>Review of Council Agenda</u>

Council President Hayes reviewed the February 18, 2019 city council agenda.

F. Public Hearing – None

H. Proclamations

   Proclaiming March 11-16, 2019 as "Shop Local" in Pelham, Alabama

   Pelham Business Alliance, Debbie Parrott, regarding the "Shop Local" promotion

J. Requests to Address the Council – None

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

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

1. **Resolution 2019-02-18-01** for consideration to enter into a renewal agreement with RiverTree Systems, Inc. for external sales and use tax audits

Building Official Bob Miller stated RiverTree has been performing the city's external sales and use tax audits for the past 17 years. He shared with the city council the revenue and expenses related to the contract over the past year. Mr. Miller spoke in favor of renewing the contract for an additional three years with RiverTree Systems, Inc. Council President Hayes addressed the per hour increase in the proposed contract extension. Mr. Miller said he was comfortable with the price increase, but informed the city council he may ask for an internal auditor at some point in the future.

Councilmember McMillan asked about the hourly increase and the impact to the budget. Mr. Miller stated the hourly increase was $10.00, from $65.00 to $75.00. He noted it had been a number of years since RiverTree had increased their rates.

2. **Resolution 2019-02-18-02** for consideration to authorize an agreement between the City of Pelham and Gonzalez, Strength and Associates for conceptual design services along Amphitheater Road

David Willingham, Director of Development Services & Public Works said as the city considers development growth along Amphitheater Road this is something we need to take steps to preserve the options to make this a four-lane road from end to end. He said the contract will allow the city to develop alternatives and will give us an idea what those options will look like. He stated there is no surveying included in this contract. Councilmember Lanier asked how many conceptual designs will be developed. Mr. Willingham said they had planned for two. Council President Hayes asked about the timeline on completing the design. Mr. Willingham stated the conceptual designs and options should be completed in a couple of weeks.

3. **Resolution 2019-02-18-03** for consideration to exercise a multi-year option renewal for 2019 with Pyro Shows of Alabama for the city's annual "Fire on the Water" fireworks show on Wednesday, July 3, 2019

Council President Hayes reminded the city council of the three year agreement with Pyro Shows of Alabama that was approved last year. He further stated the agreement required the option year to be approved annually.

4. **Resolution 2019-02-18-04** for consideration to authorize a 36-month lease agreement with TCF Equipment Leasing through the National Intergovernmental Purchasing Alliance for Ballantrae Golf Club for various pieces of golf course maintenance mowing equipment

Ballantrae Golf General Manager Hal Brown stated the lease was for five new pieces of mowing equipment. He explained several pieces of the current equipment is original to the golf course opening in 2004. Mr. Brown stated the equipment would be delivered in April with the first lease payment due in April. He said the lease agreement is actually $7,600 under the amount budgeted for FY2019. Mr. Brown said he recommends approval of the lease agreement with TCF Equipment Leasing.

5. **Resolution 2019-02-18-05** for consideration to pay the final demolition and construction invoices to Taylor-Miree Construction for the renovations of the Main Arena at the Pelham Civic Complex & Ice Arena

Civic Complex Administrator Danny Tate said the request for payment is basically the retainage for the demolition and construction phases. He said there were no issues and recommends payment. Council President Hayes said he did not realize the retainage had not paid. He further stated he spoke with Wes Taylor of Taylor-Miree who explained there had been a two month delay with the architect in finalizing the retainage invoices. City Manager DiFante stated the final payment to Goodwyn, Mills and Cawood had not been paid pending the "as built" drawings from the architect as Mr. Tate had mentioned.

Councilmember McMillan asked if these expenses were budgeted. Council President Hayes said the invoices would be paid from the $150,000 budgeted in FY2019 for additional work at the Civic Complex. He further stated no budget amendment would be required at this point in time.

6. **Resolution 2019-02-18-06** for consideration to appoint Stephanie Pryor, P.E. to the Pelham Storm Water Board, Place 3, with the term ending on October 31, 2020

Mayor Waters stated the recommendation to appoint Ms. Pryor was made unanimously by the Storm Water Board on February 11, 2019. Council President Hayes spoke about Ms. Pryor's qualifications. Councilmember Lanier commented on Ms. Pryor's extremely impressive resume.

7. **Resolution 2019-02-18-07** for consideration to authorize an agreement between the City of Pelham and Terracon Consultants, Inc. for geotechnical work along Huntley Parkway

City Engineer Chris Cousins stated before any paving activity was done on Huntley Parkway he wanted to do have some geotechnical work performed to find out what is going on with the road base. He stated Terracon will drill 18 boreholes along the entire length of Huntley Parkway in order to give us a mediation plan. Council President Hayes asked if these boreholes would give us the information which would mitigate any problems in the future. Mr. Cousins said it is our hope and intent the boreholes would give us this information. Councilmember McMillan inquired about the cost. Mr. Cousins said the cost would be paid from the overall paving budget. Councilmember Lanier asked about the possibility of detours being required. Mr. Cousins said there may be some minor traffic control issues but he did not expect any detours. He further stated if detours were required they would be minor and in short duration.

8. **Resolution 2019-02-18-08** for consideration to authorize the purchase of a new Zamboni for the Pelham Civic Complex & Ice Arena from All Star Arenas through the NJPA Purchasing Cooperative

Civic Complex Administrator Danny Tate said $80,000 of the purchase was being paid by Coca-Cola and $40,000 had been included in this year's budget. Mr. Tate said the total purchase is slightly over the amount budgeted in FY2019. He said he recommends approval of the purchase. Council President Hayes inquired about the delivery date. Mr. Tate said a Zamboni is currently under construction and he anticipated a delivery date in April 2019.

9. **Ordinance No. 135-220** an amendment to the zone district boundaries of the City of Pelham changing the present zoning R-1 (Single Family District) to A-1 (Agricultural District) for applicant Donovan Gravlee. **FIRST READING**

Council President Hayes stated additional requirements have been added to Ordinance No. 135-220. Building Official Bob Miller stated the Planning Commission had placed conditional restrictions on the zoning request. The question was asked how the city can hold a future owner of the property to these restrictions.

Councilmember Scott expressed his concerns about rezoning the property from residential (R-1) to agriculture (A-1). He requested a memorandum of understanding signed by both the city and the property owner outlining the conditional restrictions regarding the proposed rezoning. Council President Hayes noted a document drafted by the city clerk/treasurer requiring the property owner to agree to the conditional restrictions of the rezoning is a part of Ordinance No. 135-220, as Exhibit A. Additional discussion followed regarding the permitted uses of properties zoned as A-1 (Agricultural District). It was noted for the record Mr. Gravlee would be attending tonight's council meeting. Building Official Bob Miller spoke about the difficulty Mr. Gravlee has with accessing his property. Council President Hayes asked Mr. Miller if he had received an answer on whether the conditional zoning follows future landowners. Councilmember Lanier suggested contacting the city attorney regarding future use of the property by a different landlord.

Council President Hayes shared with Councilmember Scott a draft of Exhibit A, requiring the property owner to agree, in writing, to the conditional restrictions. Councilmember Scott said he was comfortable moving forward with the additional, restrictive wording, which is a part of Ordinance No. 135-220 as Exhibit A. Councilmember Lanier inquired about the barbed-wire fence and if something more aesthetically pleasing could be requested of Mr. Gravlee. Councilmember Mercer said it is about being a good neighbor. Council President Hayes commented on double-checking our options with the city attorney. Councilmember Scott said it is all about the integrity of the neighbor and their investments.

(End of February 18, 2019 Agenda Review)

Old Business

1. Business License Moratorium – Used Autos and Trucks

Council President Hayes commented on the recent requests to allow for the issuance of business licenses with the current used car moratorium in place. He noted the moratorium ends in five months which will allow the city council to reevaluate the issue.

Councilmember Lanier asked about the status of the strategic plan. City Manager DiFante said there have been a lot of comments about U.S. Highway 31 and cleaning up the area. She said it is a concern to the citizens. Councilmember Lanier asked when we should expect the plan to be completed. Mrs. DiFante said she expected the draft to be completed in five to six months followed by an additional 90 days for comments and recommendations from the City Council and Planning Commission. Councilmember McMillan offered comments about the Comprehensive Plan. Councilmember Scott asked if there were any legal options under the moratorium to grant a variance. Council President Hayes said there is the option to change the moratorium by resolution. Mrs. DiFante mentioned considering previous requests to open used car lots. Councilmember Mercer commented on the potential timing for changes related to the moratorium. Council President Hayes offered his thoughts about the timing of the moratorium and the completion of the Comprehensive Plan. Mrs. DiFante said she would ask for recommendations from the Regional Planning Commission. Council President Hayes said we have been fighting this issue for a period of time in an effort to try to get it right. He mentioned various measures undertaken by the city council in the past to address this issue.

Mayor Waters said we have the opportunity to get this right. He said we will have to make an effort to define the differences between RVs, school buses, used truck, and used car sales so when these issues come up they are not rolled into one category. Council President Hayes said we must address these issues in the coming months. City Manager DiFante agreed there will be problems if we try to do something in the middle of the moratorium and it will not benefit the city.

2. Preparation and content of work session and city council minutes

Council President Hayes passed out copies of other cities city council minutes for review. He said Alabaster's minutes are more action oriented while in his summary interpretation of Hoover and Vestavia, those minutes are not truly action oriented minutes. He stated and confirmed with City Clerk/Treasurer Tom Seale that the Pelham minutes have been detailed and more verbose than most for as long as Mr. Seale can remember.

Councilmember Mercer asked for additional time to review since we have added Facebook Live. Council President Hayes asked Wayne Morris about the storage of the videos of the work session and council meetings. Mr. Morris stated he shares the information with IT Manager Dell Ann Holly who stores the videos on a hard drive. Council President Hayes agreed with Councilmember Mercer to take a little more time to look at this issue.

3. Blueberry Hill Update

See remarks above under City Manager's Comments.

4. City Hall Renovations

Council President Hayes suggested a mid-year review on all the city's finances. He stated Councilmember Scott had made an earlier request for an itemized list of the renovations under consideration.

Councilmember Scott reviewed the list of completed projects and those that are unfunded. Council President Hayes stated in the budget the city council allowed the Mayor and City Manager to prioritize the needs in City Hall that were most important.

Councilmember Lanier asked if Mayor Waters, City Manager DiFante and Paula Holly had looked at the renovations under discussion. Mayor Waters stated he was in support of moving forward with the renovations. City Manager DiFante said the staff is passionate about the possibility of the renovations to City Hall. She expressed her thoughts on moving forward. She stated the face of your city is City Hall. Councilmember Lanier asked if the city council was to look at the entire list that was being requested. City Manager DiFante said the list was comprehensive.

Councilmember McMillan stated her concerns saying we are looking at one item which was not completely funded in the budget. She stated there were other department requests which did not get funded. She further stated we must look at other department's needs. She suggested waiting for a six month review of the budget to get an idea where we are with our capital dollars. City Manager DiFante said the preference is to get the renovation project completed.

Mayor Waters said at some point in the future the city would need to look at new offices, a new city hall that meets our needs.

Councilmember Lanier said with the potential of new hires being added to staff she would like to have a presentation of the renovation project. She said this would give the city council an overview of the needs of the city.

Councilmember Mercer commented on the 4:00 p.m. special work session which was discussed in January. Mayor Waters asked if the city council would like to have the City Hall renovations presentation on March 4th agenda. It was the consensus of the city council to have the presentation at the special work session on March 4th.

New Business

1. Geotechnical Engineering Proposal – Huntley Parkway

See the comments above under Resolution 2019-02-18-07.

2. Engineering Proposal - Highways 31/33 Connector Road

David Willingham, Director of Development Services & Public Works, stated that proposals related to options for the Highways 31/33 connector road project had been requested. He said he is looking for the best fit and will review the proposals with City Engineer Chris Cousins. He further stated they will make recommendations to the city council regarding moving forward with this project at the next city council meeting.

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 7:07 p.m.

Respectfully submitted this 18th day of February 2019,

Tom Seale, MMC, City Clerk/Treasurer

Rick Hayes, Council President

[SEAL]

CITY OF PELHAM CITY SEAL ALABAMA