



WORK SESSION
Pelham Police & Court Building
April 1, 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 April 1, 2019 at 6:00 p.m. The regular work session was held at the Pelham Police & Court Building and was open to the public.

Call to Order

The work session was called to order by Council President Hayes at 6:41 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 March 18, 2019 Special and Regular Council Work Session Minutes. The motion was seconded by Councilmember Lanier and passed unanimously by voice vote of those members present.

Old Business

1. Comprehensive Plan Update - Lindsay Puckett, Regional Planning Commission of Greater Birmingham (RPC)

Lindsay Puckett updated the city council on the progress of the Comprehensive Plan over the past several months. She reviewed the Pelham housing trends of the past several years. She discussed what the Comprehensive Plan can do to regulate the desired use of properties, density and hours of operation, location and other parameters along the Highway 31 corridor. She suggested a separate overlay district

for Highway 31. Ms. Puckett said RPC was also undertaking the updating of the land use map, which was last updated in 2003. She stated the RPC team is drafting plans for goals and actions regarding several topics, including future land use, economic vitality, transportation and “green” features. She reminded the public there are two more Pelham Comprehensive Plan Goals and Actions Roll-Out meetings scheduled. Those meetings will be held at the Pelham Civic Complex & Ice Arena on Tuesday, April 16, 2019, at 11:30 a.m. – 1:00 p.m. and 5:30 p.m. – 7:00 p.m. She encouraged the public to attend and participate.

Council President Hayes thanked Ms. Puckett for the presentation. Upon further questioning by Council President Hayes, Ms. Puckett stated the Comprehensive Plan should be completed this summer. She said once everyone is comfortable with the plan public hearings will begin. She further stated the Planning Commission will adopt the plan followed by the city council’s endorsement.

City Manager DiFante asked Ms. Puckett to discuss the recent report which highlighted the most congested areas in the region. Ms. Puckett said two of the five worst congested areas in our area are in the City of Pelham.

City Manager DiFante stated the Comprehensive Plan will make recommendations and deliver what the city council and public are asking for. She further stated the suggested zoning changes will be critical to the success of the Plan.

Review of Council Agenda

Council President Hayes reviewed the April 1, 2019 city council agenda.

E. Consent Agenda

Purchase of (4) twenty-four hour chairs for Police Dispatch in the amount of \$1,443.00 from the 911 Account.

F. Public Hearing – None

H. Proclamations

1. Legacy of Hope, represented by Michael S. Fitts
2. Parental Alienation Prevention Week, represented by Kenneth Pascal

J. Requests to Address the Council - None

K. Old Business / Resolutions / Ordinances / Orders and Other Business

1. **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. The First Reading was on February 18, 2019.

It was the consensus of the city council to move forward tonight with a vote on Ordinance No. 135-220.

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

1. **Resolution 2019-04-01-01** to authorize the granting a non-exclusive right-of-way use agreement to MCImetro Access Transmission Services Corporation d/b/a Verizon Access Transmission Services, for the purpose of constructing and maintaining a fiber-optic transmission line within certain public rights-of-way within the City of Pelham, Alabama.

City Engineer Chris Cousins stated Verizon will be installing a fiber optic network throughout the city, primarily along major traffic corridors. He further stated this is a 20 year franchise agreement and renews at five year intervals. Mr. Cousins said with each renewal the city has the option to update the terms and conditions as needed to reflect current technology. Justin Tanner, Director of Governmental Affairs with Verizon, stated they are making major investments in cities that are progressive. He said technical upgrades will provide a variety of new services to the public.

Councilmember Scott asked about the scope of the project, completion time and areas of construction. Mr. Tanner said the upgrades will take place primarily along the Highway 31 corridor and not in residential areas at this time. Councilmember Scott questioned Mr. Tanner with regard to repairs to damaged water lines. Mr. Tanner said Verizon will be contacting 811 for line location assistance and will repair all damages to utilities. Mr. Cousins stated 57,397 linear feet of aerial and 31,990 linear feet of buried cable will be installed. He further stated the aerial cable will be installed on existing Alabama Power Company utility poles. Council President Hayes stated he previously had concerns over the balance and fairness of this agreement compared to others, as well as the length of the agreement. However, he said Mr. Cousins' explanation of the five year renewal intervals, with the ability to update the terms of the agreement at that time, had allowed him to get comfortable with the agreement. Councilmember Lanier asked about whether this agreement addressed small cell facilities. Mr. Cousins stated this agreement was completely separate from small cell facilities.

2. **Resolution 2019-04-01-02** for consideration to declare certain personal property (vehicles) as surplus and no longer needed by the City of Pelham or the Pelham Police Department.

City Clerk/Treasurer Tom Seale stated the adoption of Resolution 2019-04-01-02 will add four additional vehicles to the planned surplus auction, bringing the total to approximately 15 vehicles.

3. **Resolution 2019-04-01-03** for consideration in support of protecting local control over public streets and public asset and a call on Congress to reaffirm such local control by reversing recent FCC action related to wireless facilities by enacting H.R. 530.

Councilmember Scott thanked those responsible for their speed in getting this resolution before the city council for consideration. He said we need to get some relief and let Congress know our wishes in being able to control our own rights-of-way.

Council President Hayes asked if the resolution under consideration was based on the sample that was provided by the Alabama League of Municipalities. Mr. Cousins said it was.

4. **Resolution 2019-04-01-04** for consideration to appoint/reappoint members to the City of Pelham Commercial Development Authority, Place 1 and 2.

Councilmember McMillan recommended the reappointment of Scott Christian to Place 2 on the Commercial Development Authority. Councilmember Lanier concurred.

Councilmember Scott recommended the appointment of Brent Todd to Place 1 on the Commercial Development Authority. Councilmember Mercer said he had no issues with the appointment of Mr. Todd. He stated he would like to see postings for board positions at least 30-45 days prior to a city council deadline for applications and resumes.

5. **Resolution 2019-04-01-05** for consideration to approve an ABC license application for Legends Music, LLC, doing business as Oak Mountain Spring Fair 2019, located in the parking lot of 1000 Amphitheater Road, Pelham, AL 35124

Police Chief Larry Palmer stated this is an annual special use permit request for their Oak Mountain Spring Fair. Councilmember Mercer expressed his concerns regarding a petting zoo at the fair. Chief Palmer stated there would be no petting zoos.

6. **Resolution 2019-04-04-06** for consideration to enter into an agreement with Edmonds Engineering, Inc. for the assessment of specific buildings and facilities owned by the City of Pelham

David Willingham, Director of Development Services & Public Works, stated the 28 building assessments would assist in the budgeting process for future planned maintenance.

(End of April 1, 2019 Agenda Review)

New Business - None

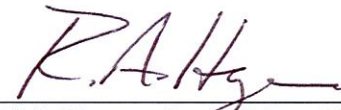
Adjournment

A motion to adjourn the work session was made by Councilmember Scott and seconded by Councilmember McMillan. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 7:28 p.m.

Respectfully submitted this 1st day of April 2019,



Tom Seale, MMC, City Clerk/Treasurer



Rick Hayes, Council President

