



WORK SESSION
Pelham Police & Court Building
July 15, 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 July 15, 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 6:00 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 Mercer to approve the July 1, 2019 Special and Regular Council Work Session Minutes. The motion was seconded by Councilmember Lanier and passed by voice vote of those members present.

Executive Session

Council President Hayes stated for the record the purpose of the Executive Session was to discuss preliminary negotiations involving matters of trade or commerce in which the governmental body is in competition with private individuals or entities or other governmental bodies in Alabama or in other states or foreign nations or to discuss matters or information of the character defined or described in the Alabama Trade Secrets Act. Provided, however, that prior to such discussions a person involved in the recruitment or retention effort or who has personal knowledge that the discussion will involve matter or

information of the character defined or described in the Alabama Trade Secrets Act advises the governmental body in writing or by oral declaration entered into the minutes that the discussions would have a detrimental effect upon the competitive position of a party to the negotiations or upon the location, retention, expansion, or upgrading of a public employee or business entity in the area served by the governmental body if disclosed outside of an executive session, or would disclose information protected by the Alabama Trade Secrets Act. Council President Hayes noted City Attorney Butch Ellis had stated he agreed with the stated purpose of tonight's Executive Session is appropriate under Section 36-25-A-7(a)(6), Code of Alabama 1975, as amended.

A motion was made by Councilmember McMillan to enter into an Executive Session of the city council for the stated purpose. Said motion was seconded by Councilmember Lanier. 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, Mayor Gary Waters, City Manager Gretchen DiFante, Director of Developmental Services & Public Works David Willingham, 58, Inc. representatives Melody Whitten and Yvonne Murray, Building Official Bob Miller, City Engineer Chris Cousins, attorney Brad Cherry and City Clerk/Treasurer Tom Seale to attend the Executive Session. Council President Hayes stated he expected the city council to return from the executive session in approximately 20-25 minutes. The city council went into executive session at 6:04 p.m.

Councilmember McMillan moved to adjourn the executive session. Said motion was seconded by Councilmember Mercer. The motion passed unanimously by voice vote of those members present, and the executive session was adjourned at 6:31 p.m.

Council President Hayes called the work session back to order at 6:34 p.m.

Review of Council Agenda

Council President Hayes reviewed the July 15, 2019 city council agenda.

F. Public Hearing - None

H. Proclamations by the Mayor - None

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 2019-07-15-01** for consideration to extend the moratorium on the issuance of new City of Pelham business licenses for certain business types

City Attorney Bill Justice had advised not to include new construction in the moratorium and with requested variances applying only to used cars lots. It was noted the end date of the moratorium had been moved to February 29, 2020. Director of Developmental Services & Public Works David Willingham stated he had no concerns with extending the moratorium. He further stated the extension allows the city to move forward with the Comprehensive Plan and changes to the zoning regulations. The timeline for approving both the Comprehensive Plan and zoning regulation revisions were discussed. Councilmember Lanier thanked the city staff for addressing all the city council concerns.

2. **Resolution 2019-07-15-02** for consideration to approve an ABC license application for JTK Ventures, LLC, operating under the trade name Rack Em Billiards, located at 2613 Pelham Parkway, Pelham, AL 35124

Councilmember Scott stated he had several concerns regarding the ABC application. Those concerns included smoking and age restrictions. Councilmember Lanier said she agreed with Councilmember Scott's comments. Councilmember Scott made a motion to remove Resolution 2019-07-15-02 from the July 15, 2019 agenda. Councilmember Lanier seconded the motion.

There being no further discussion, the motion to remove Resolution 2019-07-15-02 passed unanimously by voice vote of those members present and the council president declared the same passed.

3. **Resolution 2019-07-15-03** for consideration to approve the engagement of the Center for Public Safety Management, LLC for the purpose of assisting in the assessment, recommendation and recruitment process for the appointment of a police chief

Director of Human Resources Tracy Hill noted the city council's information packet contained both a letter of engagement and summary of services offered. She stated having received excellent feedback from cities who have used this company in the past. She further stated the Center for Public Safety Management, LLC will assess the needs of the department, develop a plan and assist staff in the evaluation of applications and resumes.

4. **Resolution 2019-07-15-04** to accept the lowest responsible bid from David Acton Building Corporation for the construction of two pavilions at Pelham City Park in accordance with the specifications of the bid

GIS Director Josh Osborne stated four contractors submitted bids on the rebid of this project. He further stated the specifications had been changed to use pine instead of cedar saving \$30,000 in the project's construction costs. Mr. Osborne said he was pleased with the local contractor's lowest responsible bid, which is significantly less than the original bids. Councilmember Scott inquired as to the location of the pavilions. Mr. Osborne said the pavilions will be built behind the volleyball courts and next to the dog park. He stated the pavilions should be completed by September.

5. Resolution 2019-07-15-05 authorizing an agreement with Tivity Health, PL to administer the SilverSneakers Exercise Program at the Pelham Recreation Center

Park & Recreation's Manager of Duty Scott Verner stated since the Recreation Center opened there has been a lot of interest from the patrons in the SilverSneakers program. He said they were familiar with the program having seen it at other facilities. He stated there is not a charge to our citizens for using the program and visits are reimbursed by SilverSneakers. Councilmember McMillan asked about the age requirements of the program. Mr. Verner said it was open to patrons 65 years and older. He stated SilverSneakers is a really good program and provides health benefits to our citizens. Councilmember McMillan asked about other facilities using this program. Mr. Verner said he could provide a list of those facilities to the city council. Councilmember Lanier asked if he was comfortable with the annual renewal program. He said he was comfortable with the renewal aspects of the program. Mr. Verner commented the city attorney had reviewed the contract with SilverSneakers and approved.

6. Resolution 2019-07-15-06 for consideration to approve certain incentives for HCI Oak Mountain, LLC related to the development of property along Amphitheater Road and Oak Mountain Drive

Council President Hayes stated that the incentives included in this resolution for approval would be included in the development agreement that is intended to be considered at the next city council meeting. City Manager DiFante said approving the incentives allows the city and developer to move forward on several levels, including the Amendment 772 requirements of the project. She stated attorney Brad Cherry is evaluating the incentive package for review by the city council. Council President Hayes stated the city has used this process in the past, which requires validation by the Circuit Court of Shelby County. He further stated approval of Resolution 2019-07-15-06 allows the city to move forward with advertising the project in a local newspaper which is required by Amendment 772. Councilmember Lanier thanked everyone involved with The Canopy, including developers Jordy Henson and John Benner with HCI Oak Mountain LLC, for all the hard work that went into this.

7. Resolution 2019-07-15-07 for consideration to approve certain incentives for the Schrimsher Company, LLC related to the redevelopment of property located at 310 Opportunity Drive, also known as Valley Elementary School

Council President Hayes mentioned the sale of Valley Elementary School (VES), by ordinance, is also on tonight's agenda. He said the same process would be followed related to the incentives being considered tonight and the related development agreement as was previously discussed for the HCI Oak Mountain, LLC project. City Manager DiFante stated the difference in the two developmental agreements is the VES project involves the sale of city owned real property. He stated approving Resolution 2019-07-15-07 will allow the city to move forward in advertising the project as required by Amendment 772. Councilmember Lanier thanked Randy Schrimsher, city officials and staff for their work on this project.

8. Resolution 2019-07-15-08 for consideration to approve a tax abatement agreement between the City of Pelham and PrintsWell, Inc.

58, Inc. representative Yvonne Murray stated this is a fantastic project and will add jobs to the Pelham economy.

9. **Resolution 2019-07-15-09** for consideration to reauthorize a 36-month lease agreement with DLL Finance, LLC through the National Intergovernmental Purchasing Alliance for Ballantrae Golf Club for various pieces of golf course maintenance equipment

Ballantrae Golf Club General Manager Hal Brown explained the maintenance equipment is vital to the operation of the golf course. He further stated the current equipment is old and in need of replacement.

10. **Ordinance No. 495** for consideration to annex into the corporate limits of the City of Pelham 3.1 acres of vacant real property owned by Michael J. Wilcox and Sadie L. Wilcox located along Shelby County Highway 332. **FIRST READING**

Council President Hayes read the key parts of Ordinance No. 495. Councilmember McMillan asked for a map of the property location to be included in the August 5, 2019 council packet. GIS Director Josh Osborne explained the history of the parcel and the desire of the property owner to sell. He stated the property owners have potential buyers. Mr. Osborne explained the R-1 zoning designation noted in Ordinance No. 495. He further stated Shelby County has agreed to grant a driveway access to the property. Mr. Osborne said the Pelham Fire Department is requiring the installation of a fire hydrant on the property which will be paid by the applicant.

11. **Ordinance No. 496** for consideration to declare certain real property as surplus and no longer needed by the City of Pelham and to sell said city-owned property to Schrimsher Company, Inc. located at 310 Opportunity Drive, Pelham, Alabama, also known as Valley Elementary School. **FIRST READING**

Council President Hayes read the key parts of Ordinance No. 496.

(End of July 15, 2019 Agenda Review)

Old Business

1. Discuss Business License Moratorium Extension – David Willingham

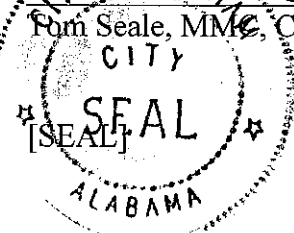
See comments under Resolution 2019-07-15-01. No additional discussion followed.

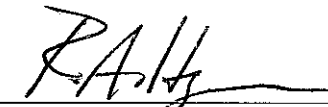
New Business - None

Adjournment

A motion to adjourn the work session was made by Councilmember McMillan and seconded by Councilmember Lanier. 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 15th day of July 2019,


Pam Seale, MMC, City Clerk/Treasurer

The seal is circular with "CITY OF PELHAM" at the top, "ALABAMA" at the bottom, and "SEAL" in the center.


Rick Hayes, Council President