



WORK SESSION
Pelham Senior Center
December 7, 2020 – 5:00 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 throughout the scheduled meeting.

Members of the Pelham City Council met December 7, 2020 at 5:00 p.m. The regular work session was held in the Pelham Senior Center and was open to the public.

Call to Order

The work session was called to order by Council President Mercer at 5:00 p.m.

Record of Attendance

The following elected officials were present:

Council President Maurice Mercer
Councilmember David Coram
Councilmember Larry Palmer
Councilmember Rick Wash
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 Coram to approve the November 16, 2020 Regular Council Work Session Minutes. The motion was seconded by Councilmember Wash and passed by unanimous voice vote of those members present.

Executive Session

Council President Mercer stated for the record the purpose of the Executive Session was to discuss the good name and character of the operator/licensee and the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action.

City Attorney Josh Arnold stated the purpose of tonight's Executive Session is appropriate under Section 36-25-A-7(a) (1) and Section 36-25-A-7(a) (3), Code of Alabama 1975, as amended.

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

Maurice Mercer, Council President	<u>Yes</u>
David Coram, Council Member	<u>Yes</u>
Larry Palmer, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Yes</u>
Mildred Lanier, Council Member	<u>Yes</u>

Council President Mercer asked the members of the city council, Mayor Gary Waters, City Manager Gretchen DiFante, Police Chief Pat Cheatwood, City Attorney Josh Arnold, and City Clerk/Treasurer Tom Seale to attend the Executive Session. Council President Mercer stated he expected the city council to return from the Executive Session in approximately 25 minutes. The city council went into executive session at 5:03 p.m.

Councilmember Palmer moved to adjourn the executive session. Said motion was seconded by Councilmember Coram. The motion passed unanimously by voice vote of those members present, and the Executive Session was adjourned at 5:31 p.m.

Council President Mercer called the work session back to order at 5:32 p.m.

Old Business – None

New Business

1. Discussion and Presentation – BIG Communications and the City's Rebranding Project

Communications Manager Ainsley Allison

City Manager Gretchen DiFante introduced BIG Communications and John Montgomery, founder and Chief Executive Officer. Mr. Montgomery introduced Hannah Dow, Senior Account Executive and Mary Jane Cleage, Director of Accounts. He stated they were a full service advertising agency located in Birmingham. He noted a number of their rebranding projects and case studies over the past several years. Mr. Montgomery stated, if hired, BIG would expect to begin the process in the first or second quarter of 2021. City Manager DiFante stated the Comprehensive Plan identified the need to rebrand the city. She further stated monies have been budgeted in FY2021 for this project. She said the contract is almost complete which will require review by the city attorney. She noted a resolution approving the contract will be on the December 21, 2020 agenda for city council consideration.

2. Discussion – Blueberry Hill Brush Management Plan

City Manager DiFante noted the previous work completed by Intern Jonathan Seale approximately two years ago regarding time management and improving the brush collection process.

Director of Development Services & Public Works Andre` Bittas stated their review included efficiency, fuel and maintenance expenses, labor costs and tipping fees at the landfill. He said the Blueberry Hill

site was chosen last April for the disposal of brush and debris. He stated the Blueberry Hill location did not lend itself to the burning of brush. Mr. Bittas said they became aware Shelby County has a contract with a chipping company that Pelham can utilize. He said the company would do the chipping at the Blueberry Hill site which would greatly improve the efficiency of the collection process. He said the end product can be used for mulch or ground cover throughout the city. He stated he would bring a contract to the city council for their consideration.

3. Discussion - Municipal Consultants, Inc. General Services Agreement

Director of Development Services & Public Works Andre` Bittas explained the city council has before them a General Services Agreement with Municipal Consultants, Inc. to perform certain tasks at a stated per hour rate. He said Chris Cousins and Municipal Consultants, Inc. have worked for the city for over 25 years. Mr. Bittas stated the need to formalize an agreement between the city and Municipal Consultants, Inc. He further stated Mr. Cousins is a “nice guy.”

4. Discussion – Council Rules and Order of Procedure

City Manager Gretchen DiFante spoke to the need to review the city council’s rules and order of procedure. She noted having spoken to attorney Mark Boardman about ideas regarding rules and procedures and establishing city council committees. She suggested calling a special work session and having Mr. Boardman facilitate the meeting with the city council. Council President Mercer asked the city council to take a look at their calendar in order to set a special council meeting date and time. He suggested January 7, 2021 at 4:00 p.m. Council President Mercer asked the City Clerk/Treasurer to send a current list of appointments and liaisons to the city council.

Review of Council Agenda

Council President Mercer and City Manager DiFante reviewed the December 7, 2020 city council agenda.

F. Public Hearing – None

G. Mayor’s Comments

H. Proclamation(s) by the Mayor – None

I. Report of the City Manager

J. Request(s) to Address the Council – None

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

1. **Ordinance No. 135-230** for consideration to amend the Zoning Ordinance of the City of Pelham to include the establishment of Mixed-Use Districts: MX-N Mixed-Use Neighborhood District and MX-C Mixed-Use Center District
(First Reading was on November 16, 2020)

There was no discussion or questions from the city council.

2. **Ordinance No. 135-231** for consideration to rezone property located at 96/98 Hilltop Business Center Drive from B-4 (Mini-Warehouse District) to B-2 (General Business District) for applicant Maranatha Properties, LLC
(First Reading was on November 16, 2020)

There was no discussion or questions from the city council.

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

1. **Resolution 2020-12-07-01** for consideration to reappoint Joseph Schifano, III to the Pelham Zoning Board of Adjustment, Place 1, with the term of office ending on September 30, 2022

There was no discussion or questions from the city council.

2. **Resolution 2020-12-07-02** for consideration to participate in the 2021 Severe Weather Preparedness Tax Holiday – February 26-28, 2021

There was no discussion or questions from the city council.

3. **Resolution 2020-12-07-03** for consideration to approve the lowest responsible bid from Wayne Davis Construction, LLC for construction of the new Fire Station No. 3

City Manager DiFante stated this was the lowest responsible bid at \$2,550,000 with a construction period of 270 days.

4. **Resolution 2020-12-07-04** for consideration to approve an agreement with ATC Group Services LLC for construction materials testing (CMT) services to be performed during construction of the new Fire Station No. 3

City Manager DiFante stated this was the lowest responsible quote for construction materials testing.

5. **Resolution 2020-12-07-05** for consideration to approve a public works contract with Hulon Construction Co., Inc. to perform envelope renovations and interior improvements to the Pelham Depot located in City Park

City Manager DiFante asked Parks & Recreation Director D. Tyrell McGirt to speak to the Depot renovations. He noted an immediate need for additional office space for the Parks & Recreation staff. He stated there was \$50,000 in the FY2021 budget. Mayor Waters asked if the historical integrity would be maintained. Mr. McGirt said it would. Mr. Bittas spoke to the replacement of all the windows and upgrading the HVAC system.

6. **Resolution 2020-12-07-06** for consideration to terminate certain Woodland Mobile Home Park leases on April 1, 2021 for the purpose of redevelopment, improvement and revitalization of the property

Council President Mercer stated this action takes into consideration an additional six lots that were not previously approved.

7. **Resolution 2020-12-07-07** for consideration to terminate the Commercial Real Estate Lease Agreement between the City of Pelham as Landlord and the Pelham Commercial Development Authority as Tenant regarding the Woodland Mobile Home Park effective April 1, 2021

City Manager DiFante stated the Commercial Development Authority (CDA) concurred that the Commercial Real Estate Lease Agreement was longer needed.

8. **Resolution 2020-12-07-08** for consideration to authorize an boundary line survey for vacant, city-owned property located at or near 3154 Pelham Parkway/3114 Cummings Street, Pelham, Alabama 35124

Council President Mercer stated the need to perform a boundary line survey for a proposed sale of city owned property. City Manager DiFante stated Summer Classics is interested in purchasing 4.33 acres to expand their business.

9. **Resolution 2020-12-07-09** for consideration to authorize an Market Value Real Estate Appraisal for vacant, city-owned property located at or near 3154 Pelham Parkway/3114 Cummings Street, Pelham, Alabama 35124

See the comments related to Resolution 2020-12-07-08.

10. **Resolution 2020-12-07-10** for consideration to a authorize an professional services agreement with BIG Communications for the city's rebranding and marketing project

Council President Mercer stated the city council has not had an opportunity to review the contract with BIG Communications or discuss among themselves.

A motion was made by Councilmember Wash to remove Resolution 2020-12-07-10 from the December 7, 2020 city council agenda. Said motion was seconded by Councilmember Palmer.

There being no further discussion, the motion to remove Resolution 2020-12-07-10 from the December 7, 2020 agenda passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

11. **Resolution 2020-12-07-11** for consideration to approve a fee schedule for police reports

Police Chief Pat Cheatwood explained the increase would be from \$5.00 to \$10.00 and would allow the public to request police reports online. He further stated the report fee for insurance companies would increase from \$5.00 to \$15.00.

12. **Resolution 2020-12-07-12** for consideration to approve an ABC License application for a 010-Lounge Retail Liquor License – Class 1 for applicant Heebie Jeebies, LLC operating under the trade name Jelly's Bar located at 3180-B Pelham Parkway, Pelham, Alabama 35124

Councilmember Coram stated this a reapplication for an ABC license which was previously denied by the city council. He said he has spoken with owner Rachel Rose and Police Chief Cheatwood. He further stated this is a different type of business than previously operated by Ms. Rose. Councilmember Coram said the applicant is a member of the Responsible Vendor Program.

13. **Resolution 2020-12-07-13** for consideration to approve an ABC License application for a 020 – Restaurant Retail Liquor License for applicant Cracker Barrel Old Country Store, Inc., operating under the trade name, Cracker Barrel 70, located at 655 Cahaba Valley Road, Pelham, AL 35124

Councilmember Coram said he has spoken to their attorney and Cracker Barrel is applying for alcohol licenses throughout the country.

14. **Resolution 2020-12-07-14** for consideration to approve an ABC License application for a 050-Retail Beer (Off Premises Only) and 70-Retail Table Wine (Off Premises Only) licenses for applicant Circle K Stores, Inc. operating under the trade name Circle K Store 2704888, located at 630 Cahaba Valley Road, Pelham, AL 35124

Monique Smith, representing Circle K Stores, Inc., spoke to their participation in the Responsible Vendor Program. Councilmember Coram stated the location of the store is next to KFC on Cahaba Valley Road.

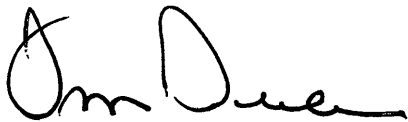
15. **Ordinance No. 067-11** for consideration to amend the Building Permit Fee Schedule (First Reading)

(End of December 7, 2020 Agenda Review)

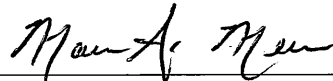
Adjournment

A motion to adjourn the work session was made by Councilmember Coram and seconded by Councilmember Lanier. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 6:53 p.m.

Respectfully submitted this 7th day of December 2020,



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

