WORK SESSION
Pelham Senior Center
May 3, 2021 – 4:00 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 on Monday, May 3, 2021 at 4:00 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 4:01 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

The city clerk/treasurer recorded all members of the city council were in attendance and a quorum was present. Mayor Waters, City Manager Gretchen DiFante and City Attorney Josh Arnold were also in attendance.

Media Present: None

Others Present: City department heads, city employees, and members of the public.

Approval of Minutes

A motion was made by Councilmember Coram to approve the April 19, 2021 Regular Council Work Session Minutes. The motion was seconded by Councilmember Wash and passed by unanimous voice vote of those members present.

New Business

1. Interviews – Pelham Parks & Recreation Advisory Board

The interviews for the Pelham Parks & Recreation Advisory Board and Pelham Board of Adjustment and Appeals began at 4:04 p.m.

a. Stephanie Adamson (4:05 p.m.)

b. Danny Barry (4:10 p.m.)

c. Brittany Durrett (4:15 p.m.)

d. Michael Harris (4:20 p.m.)

e. Melissa Leverett (4:25 p.m.)

f. Ramona Sewell (4:35 p.m.)

g. Leonard Smith (4:40 p.m.)

h. Brent Todd (4:45 p.m.)

i. Tomeka Wilson (4:50 p.m.)

j. Kevin Washburn (4:55 p.m.)

k. Kevin Jones (5:00 p.m.)

2. Interviews – Pelham Board of Adjustment and Appeals

a. Stephanie Pryor (4:30 p.m.)

Mr. Leonard was unable to attend his interview. The candidate interviews concluded at 5:16 p.m.

Executive Session

Council President Mercer stated for the record the purpose of the Executive Session was to discuss the legal ramifications of and legal options for pending litigation and to discuss with our attorney controversies not yet being litigated, but imminently likely to be litigated if the governmental body pursues a proposed course of action. City Attorney Bent Owens stated the purposes of tonight's Executive Session are appropriate under Section 36-25-A-7(3) (a) and (3) (b) Code of Alabama 1975, as amended.

A motion was made by Councilmember Wash 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	Yes
David Coram, Council Member	Yes
Larry Palmer, Council Member	Yes
Rick Wash, Council Member	Yes
Mildred Lanier, Council Member	Yes

Council President Mercer asked the members of the city council, Mayor Gary Waters, City Manager Gretchen DiFante, City Attorney Bent Owens, City Attorney Josh Arnold, Retired Judge Mike Joiner 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 60 minutes. The city council went into executive session at 5:22 p.m.

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

Council President Mercer called the work session back to order at 6:37 p.m.

Council President Mercer asked the city council to rank the candidates for the Parks & Recreations Advisory Board. He asked Executive Assistant Brooke Jenkins to provide the city council with the final rankings in order to have discussions at a later time.

<u>New Business</u> – Continued

1. Discussion – City Manager Evaluation

City Manager DiFante provided original goal sheets for city council consideration. She stated her goal was to put together five to seven of the top proprieties. She reviewed and updated those goals with the city council and outlined several options in moving forward.

City Manager Goals for 2020/2021 Fiscal Year, October 1, 2020 – September 30, 2021

- *Lead the successful renegotiation for the following contracts:*
  1. *City/BOE sales tax sharing agreement*
  2. *Campus 124 development agreement*
  3. *Canopy development agreement*
  4. *Birmingham Bulls/City operating agreement*

Measurement: 100% of the contracts are signed by city and other entities

- *Lead the initiative to identify projects from water/sewer, cooperative district, and the general fund and secure funding for projects as approved by the city council.*

Measurements: Funding is secured at the lowest available interest rate to maximize benefit. I'd like to include that the AAA rating stays, but that is not entirely within our control.

- *Complete the implementation of the finance module of Munis and begin the HR module*

  Measurement: Module is up and running

- *Get an answer about the compensation plan recommendations and move on*

  Measurement: Documents are updated and presented to council for consideration

- *Branding initiative moves forward*

  Measurement: New brand is identified and implementation plan is in place.

- *Consolidate and improve communication with council*

  Measurements: Reduce the number of separate communications going to the council; Eliminate 100% of the reports going to council with no synopsis, highlights or overview included; all new *agenda items put on the council agenda include a memo overview and backup documentation; council agenda goes out 100% of the time no later than Thursday before the following council meeting.*

Calendar of events and meetings;

- *Organize staff efforts and priorities around the comprehensive plan.*

  Measurements: implementation plan is in place and top priorities are identified and actions well underway.

- *Improve citizen responsiveness*

  Measurements: 100% of report a concern inquiries are delivered to the correct department within an hour; a non-canned response is sent to individual within 48 hours. Goals set for closure by type of inquiry.

- *Quarterly magazine*
- *Staff development goal – customer service, interview techniques, performance reviews*
- *Personal development goal*
- *Diversity recruitment and hiring practices*
- *Trail*

It was the consensus of the city council to form a committee and make recommendations for the evaluation process. Council President Mercer appointed himself and Councilmember Coram to the Evaluation Process Committee.

2. Announcement – "Fire on the Water" Date, Time & Location

City Manager DiFante stated the 2021 "Fire on the Water" fireworks show will be held on Saturday, July 3rd at Oak Mountain State Park at 9:00 p.m. per the recommendation of the fireworks vendor. She said Oak Mountain State Park is putting together a list of protocols related to COVID-19 issues. Fire Chief Mike Reid stated he had received those recommendations from the state park which will be reviewed by the city staff.

3. Discussion – Proposed Changes to the Food Truck Ordinance

Director of Development Services & Public Works Andre` Bittas stated his department was tasked with a review of the current Food Truck ordinance. He said Police Chief Pat Cheatwood, Fire Chief Mike Reid, Building Official Angie Brown and several food truck vendors participated in the review of the ordinance. Mr. Bittas reviewed the proposed changes with the city council. Those proposed changes included obtaining proper authorization from the property tenant and extending the hours of operation. Chief Cheatwood, Chief Reid and Building Official Brown discussed the changes and the impact to the food truck vendors. Council President Mercer thanked Mr. Bittas for their work in this area.

4. Discussion – Pelham Civic Complex & Ice Arena Façade Improvements

Mr. Bittas reminded the city council $750,000 was included in the 2021 bond issue for the façade improvements at the Pelham Civic Complex & Ice Area. He reviewed with the city council a list of those improvements.

<u>Old Business</u> – None

Review of May 3, 2021 Council Agenda

Council President Mercer reviewed the May 3, 2021 city council agenda.

F. Public Hearing – None

G. Mayor's Comments

H. Proclamation(s) by the Mayor

   1. Declaring May 2021 as Mental Health Month in the City of Pelham

I. Report of the City Manager – None

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

K. Officer Jason Green, Special Recognition by Police Chief Pat Cheatwood

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

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

   1. **Resolution 2021-05-03-01** for consideration to appoint Stephanie Pryor to an unexpired term on the Pelham Board of Adjustments and Appeals Place No. 5 (Engineer) with the term of office ending on September 30, 2022

There were no comments or questions from the city council.

   2. **Resolution 2021-05-03-02** for consideration to approve a request by T-Mobile for a special use permit for modifications of equipment on the existing communications facility located at 2030 Valleydale Terrace

Jeff Bass, with Center for Municipal Solutions (CMS), the city's telecommunications consultants stated T-Mobile has made application to modify their equipment on the existing tower located at 2030 Valleydale Terrace. He said the existing tower is a 180' monopole tower and T-Mobile is currently providing service from this facility at a height of 144'. Mr. Bass stated T-Mobile currently has nine (9) antennas mounted on the tower and twelve (12) feed lines mounted inside and outside the monopoles shaft. He further stated T-Mobile proposes to remove all existing antennas and add three (3) new antennas to their existing configuration. He said the twelve (1) feed lines will remain and they propose to add one addition fiber feed line to the tower. Mr. Bass said the antenna count will be decreased from nine (9) antennas to three (3) antennas, this is not a substantial modification as defined by the Federal Communications Commission and should not have a negative effect on the aesthetics of the facility.

   3. **Resolution 2021-05-03-03** for consideration to approve a request by T-Mobile for a special use permit for modifications of equipment on the existing communications facility located at 7700 Helena Road

Jeff Bass, with Center for Municipal Solutions (CMS), the city's telecommunications consultants stated T-Mobile has made application to modify their equipment on the existing tower located at 7700 Helena Road. He said the existing tower is a 150' monopole tower and T-Mobile is currently providing service from this facility at a height of 147'. Mr. Bass stated T-Mobile currently has nine (9) antennas mounted on the tower and thirteen (13) feed lines mounted inside the monopoles shaft. He further stated T-Mobile proposes to remove all existing antennas and add six (6) new antennas to their existing configuration. He said they propose to remove one (1) of the existing feed lines and they propose to add one addition fiber feed line to the tower. Mr. Bass said the antenna count will be decreased from nine (9) antennas to six (6) antennas, this is not a substantial modification as defined by the Federal Communications Commission and should not have a negative effect on the aesthetics of the facility.

4. **Resolution 2021-05-03-04** for consideration to approve a request by Verizon for a special use permit for modifications of equipment on the existing communications facility located at 5010 Oak Mountain Lane

Jeff Bass, with Center for Municipal Solutions (CMS), the city's telecommunications consultants stated Verizon has made application to modify their equipment on the existing tower located at 5010 Oak Mountain Lane. He said the existing tower is a 247' self-support tower and Verizon is currently providing service from this facility at a height of 154'. Mr. Bass stated Verizon currently has six (6) antennas mounted on the tower and three (3) feed lines mounted to the face of the tower. He further stated Verizon proposes to add three (3) new antennas to their existing configuration. He said the feed lines on the tower will not be altered. Mr. Bass said the antenna count will be increased from six (6) antennas to nine (9) antennas, this is not a substantial modification as defined by the Federal Communications Commission and should not have a negative effect on the aesthetics of the facility

5. **Resolution 2021-05-03-05** for consideration to approve an agreement for the purchase of a backup generator for Fire Station No. 2

Chris Cousins, Municipal Consultants, Inc., stated the non-working diesel generator will be replaced by a natural gas generator. He said this is an equipment only purchase at this time. Mr. Cousins said the lead time in delivery of the equipment necessitated ordering the generator. He stated the cost of installation would require council approval at a later date. Mr. Cousins said this purchase is a budgeted item in the Facilities Improvement and Maintenance Plan (FIMP).

6. **Resolution 2021-05-03-06** for consideration to approve the lowest responsible bid from Dunn Construction Company, Inc. for the city's FY2021 street paving and resurfacing projects

City Engineer Chris Nicholson recommended approval of the Dunn Construction bid. It was noted by Councilmember Coram and Councilmember Palmer about having received calls regarding resurfacing certain streets in the High Hampton subdivision containing pot holes. Mr. Bittas stated having inspected the road and said the area in question was about 200 feet in length. Mr. Bittas discussed the five-year resurfacing plan which will address road condition issues brought to his attention by members of the city council.

7. **Resolution 2021-05-03-07** for consideration to approve an agreement to perform thermal imaging at Ballantrae Golf Clubhouse

Mr. Bittas said this is a project the city will be working on for a while due to ongoing issues with water intrusion into the clubhouse. He stated there is an urgent need to determine the extent of the necessary repairs due to poor design and construction techniques. He further stated the need to evaluate the moisture content in the walls. Mr. Bittas said this process will help determine the level of repairs required at the Ballantrae Clubhouse.

8. **Resolution 2021-05-03-08** for consideration to enter into an agreement with Barrett Architecture Studio for professional services related to the façade improvements at the Pelham Civic Complex & Ice Arena

Mr. Bittas detailed the scope of work involved with the façade improvements at the Pelham Civic Complex & Ice Arena.

9. **Resolution 2021-05-03-09** for consideration to enter into an agreement with Macknally Land Design to provide architectural design services for the city owned recreational park located at Campus No. 124

Director of Parks & Recreation Director D. Tyrell McGirt stated Resolution 2021-05-03-09 is to establish a park at Campus No. 124, which is a budgeted item. He explained the scope of the design project to the city council. He said the project should take about nine months to complete and is recommended for approval.

10. **Resolution 2021-05-03-10** for consideration to enter into a sole source provider agreement with Active Network, LLC for software upgrades at the Pelham Civic Complex & Ice Arena and to amend the FY2021 budget for said purchase

Pelham Civic Complex & Ice Arena Administrator Danny Tate explained their current vendor is sun-setting the software in October 2021 and stressed the need to quickly move to another software product. He explained the sole-source provider. City Manager DiFante offered the suggestion that Active Network software could be used at both the Pelham Racquet Club and Ballantrae Golf Club.

11. **Resolution 2021-05-03-11** for consideration to approve ABC applications (No Alcohol Outside of Licensed Area and No to Go Sales) for applicant Margarita Grill, LLC located at 234 Cahaba Valley Road, Pelham, Alabama 35124 operating under various trade names for events to be held in 2021

Councilmember Coram explained this is an annual event where Margarita Grill extends the sale of alcohol into their parking lot. He stated having made a site visit and had talked to owner regarding the ABC license application.

12. **Resolution 2021-05-03-12** for consideration of an ABC License application for a 040 – Retail Beer (On or Off Premises) and a 060 – Retail Table Wine (On or Off Premises) license by applicant 24E Fitness, LLC operating under the trade name 24E Fitness located at 2244-A Pelham Parkway, Pelham, AL 35124

Councilmember Coram stated having made a site visit to the location and had talked to the owner. He noted several concerns. Councilmember Coram made a motion to remove Resolution 2021-05-03-12 from the agenda. Said motion was seconded by Councilmember Palmer. Councilmember Lanier also stated her concerns. The motion to remove Resolution 2021-05-03-12 from the May 3, 2021 agenda passed by a majority voice vote of the city council.

13. **Ordinance No. 506** for consideration to establish eligibility for the one-time payment of an employee incentive program offered to those certain employees of the City of Pelham who demonstrate Spanish language fluency. **First Reading**

Human Resources Director Tracy Hill noted the need for additional Spanish speaking employees due to the city's increasing Hispanic population. She explained a one-time, step increase would be afforded those employees who pass a Spanish fluency test. The city council asked several questions about the implementation of the step increase. Mrs. Hill said it is the hope this incentive will attract future employees who are proficient in Spanish. City Attorney Josh Arnold explained the language in the proposed Ordinance No. 506. Councilmember Lanier asked how the test would be administered. Mrs. Hill said she is more comfortable with hiring an outside firm to provide the test as opposed to her writing and having to defend the test. Council President Mercer spoke in favor of the ordinance.

(End of May 3, 2021 Agenda Review)

<u>Adjournment</u>

A motion to adjourn the work session was made by Councilmember Coram and seconded by Councilmember Wash. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 8:03 p.m.

Respectfully submitted this 3rd day of May 2021.

Tom Seale, MMC, City Clerk/Treasurer

Maurice Mercer, President of the Council

[SEAL]