



COUNCIL MEETING
Pelham Senior Center
March 15, 2021 – 7:00 p.m.

MINUTES

Proper notice of the regularly scheduled meeting of the Pelham City Council was given in advance of such public meeting and the notice remained posted throughout the scheduled meeting.

Date: March 15, 2021
Time: 7:00 p.m.
Place: Pelham Senior Center
Present: Council President Maurice Mercer
Councilmember David Coram
Councilmember Larry Palmer
Councilmember Rick Wash
Councilmember Mildred Lanier
Mayor Gary Waters

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Mercer called the meeting to order at 7:44 p.m. Councilmember Coram led tonight's invocation. The Pledge of Allegiance was led by Councilmember Palmer.

RECORD OF ATTENDANCE

The city clerk/treasurer noted for the record all members of the city council were in attendance and a quorum was present. Mayor Waters and City Manager DiFante were also in attendance.

CONSENT AGENDA

A consent agenda is presented by the Council President at the beginning of a council meeting. Items on the consent agenda are considered routine and non-controversial, are organized apart from the rest of the agenda and are adopted by general consent without debate. Items may be removed from the consent agenda on the request of any one member. Removed items may be taken up either immediately after the consent agenda is approved or placed later on the agenda at the discretion of the Council President and City Council.

1. Approval of the March 15, 2021 City Council Agenda
2. Approval of the March 1, 2021 Regular City Council Meeting Minutes and the March 10, 2021 Special Council Meeting Minutes
3. Approval of non-budgeted expenses from restricted fund account(s): None

Hearing no objections, Council President Mercer declared the consent agenda approved as submitted.

PUBLIC HEARING – None

MAYOR'S REPORT

Mayor Waters thanked Parks & Recreation Director D. Tyrell McGirt and his entire staff for an outstanding opening day for softball and baseball at City Park. He said all the playing fields looked fantastic.

PROCLAMATION(S) BY THE MAYOR – None

REPORT OF THE CITY MANAGER

City Manager DiFante stated in the past new city employees have not been formerly introduced to the city council. She said she wishes to start a new tradition.

The following new employees were introduced to the city council by their department head:

FIRE – Chief Mike Reid

Justin Moore – Firefighter/ Medic

Colby Ramsey – Firefighter/ Medic

POLICE – Chief Pat Cheatwood

Derrick Bradley – Officer

Taylor Thornton – Officer

Bradley Singleton – Officer

RACQUET – Chaney Mills

Jean Vaughn – Contract Tennis Professional

Ryen Valentine – Head Tennis Professional

David Brainerd – Receptionist II

Joseph Bobba – Assistant Tennis Professional

GOLF – Hal Brown

Tori Rawlins – Food and Beverage Manager

Michelle Reis – Membership & Accounting

Jay Chambers – Head Golf Professional

FINANCE – Jenny Gray

Megan Freeman – Staff Accountant

LIBRARY – Mary Campbell

Donna Robinson – Library Assistant

City Manager DiFante noted the significant improvements along Highway 31 due to the enforcement of the sign ordinance. She said Plan Pelham and the business community wanted accountability with regards to signs along this corridor. She reminded the city council of their past approval of additional employees to enforce the sign ordinance. She acknowledged Building Official Angie Brown and Chief Magistrate Jennifer Bridwell and their staffs for their efforts to enforce of the sign ordinance. She asked the city council for feedback with regard to the enforcement of the sign ordinance or changes they would like to see implemented.

REQUEST(S) TO ADDRESS THE COUNCIL

Rick Zuaite, International House of Pancakes (IHOP), addressed the city council regarding the sign ordinance. He reviewed this ownership of the Pelham IHOP and the difficulty he has faced during the COVID-19 Pandemic. He asked for assistance from the city council. Councilmember Lanier asked if any consideration had been given during the pandemic in relaxing the sign regulations. City Manager DiFante stated no changes have been made to address permanent signs or temporary signs. She said the city wants to remain consistent with addressing temporary signs. Councilmember Lanier asked if the city council would consider allowing banners for up to 30 days. Council President Mercer suggested the city council review the sign ordinance in a special work session. Mayor Waters stated he and Council President Mercer have made a concerted effort to address the sign ordinance with the business community. He said he has received little feedback from the businesses. Mayor Waters complimented Building Official Angie Brown on the work she and her staff have done. City Manager DiFante noted the long process required to enforce the sign ordinance. Business Official Angie Brown reviewed the process of sign enforcement over the past 13 months. She noted the need to be consistent.

OLD BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Resolution 2021-02-15-02** for consideration to amend the Special Economic Development Agreement between the City Of Pelham, Alabama and Campus No. 124, LLC with regard to project changes in the development plan was reintroduced by Council President Mercer.

Resolution 2021-02-15-02 had been removed from the February 15, 2021 city council agenda.

Councilmember Wash moved to adopt Resolution 2021-02-15-02 and Councilmember Coram seconded the motion.

Council President Mercer noted Resolution 2021-02-15-02 is before you with the requested changes from 14-18 studio apartments to 14 studio apartments, including the supporting documents.

Councilmember Lanier continued to express her concerns regarding security, resident parking and other issues.

There being no further discussion, the motion to adopt Resolution 2021-02-15-02 failed by voice vote of 2-3 of those members present with Councilmember Coram, Councilmember Palmer and Councilmember Lanier dissenting. The council president declared Resolution 2021-02-15-02 failed to be adopted.

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Resolution 2021-03-15-01** for consideration to approve the ERP contract between the City of Pelham and Tyler Technologies, Inc. was introduced by Council President Mercer.

Councilmember Coram moved to adopt Resolution 2021-03-15-01 and Councilmember Lanier seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-03-15-01 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

2. **Resolution 2021-03-15-02** for consideration to approve a contract for the purchase of two (2) replacement fire apparatus from Emergency Equipment Professionals, Inc. through the Houston-Galveston Area Council Cooperative Purchasing Program was introduced by Council President Mercer.

Councilmember Wash moved to adopt Resolution 2021-03-15-02 and Councilmember Coram seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-03-15-02 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

3. **Resolution 2021-03-15-03** for consideration to enter into a public works contract with AFS Foundation and Waterproofing Specialists for the purpose of foundation and floor stabilization at the Fire Prevention Building and to adjust the Facilities Improvement & Maintenance Plan (FIMP) budget accordingly was introduced by Council President Mercer.

Councilmember Coram moved to adopt Resolution 2021-03-15-03 and Councilmember Lanier seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-03-15-03 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

4. **Resolution 2021-03-15-04** for consideration to enter to an agreement with Safety Environmental Laboratories & Consulting, Inc. for the purpose of conducting materials abatement design specification services in Pelham City Hall was introduced by Council President Mercer.

Councilmember Wash moved to adopt Resolution 2021-03-15-04 and Councilmember Coram seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-03-15-04 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

5. **Resolution 2021-03-15-05** for consideration to approve a change order for Lift Station "M" emergency generator was introduced by Council President Mercer.

Councilmember Coram moved to adopt Resolution 2021-03-15-05 and Councilmember Wash seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-03-15-05 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

6. **Resolution 2021-03-15-06** for consideration to accept the lowest responsible bid from ICS, Inc. for the Indian Hills Well Control Upgrades and to further amend the FY2021 Water Department budget for said project was introduced by Council President Mercer.

Councilmember Lanier moved to adopt Resolution 2021-03-15-06 and Councilmember Wash seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-03-15-06 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

7. **Resolution 2021-03-15-07** for consideration to enter into a professional services contract with Gonzalez Strength and Associates for design services related to the widening of Amphitheater Road was introduced by Council President Mercer.

Councilmember Coram moved to adopt Resolution 2021-03-15-07 and Councilmember Wash seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-03-15-07 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

8. **Resolution 2021-03-15-08** for consideration to appoint three (3) members to the Pelham Commercial Development Authority and one (1) member to fill an unexpired term of office was introduced by Council President Mercer.

Councilmember Wash moved to adopt Resolution 2021-03-15-08 and Councilmember Lanier seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-03-15-08 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

9. **Resolution 2021-03-15-09** for consideration to authorize a consulting contract with Human Resource Management, Inc. (HRM, Inc.) for services related to updating the city's compensation plan was introduced by Council President Mercer.

Councilmember Coram moved to adopt Resolution 2021-03-15-09 and Councilmember Wash seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-03-15-09 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

10. **Resolution 2021-03-15-10** for consideration to approve two (2) job descriptions and pay scales within the Parks & Recreation Department was introduced by Council President Mercer.

Councilmember Wash moved to adopt Resolution 2021-03-15-10 and Councilmember Coram seconded the motion.

Councilmember Lanier stated it was important for HRM, Inc. to perform their work prior to approval of this resolution. Mayor Waters spoke to the need to move forward with the compensation plan. Councilmember Lanier stated this involves two positions and it would be in the best interest of the city to have the compensation plan updated prior to approval of any job descriptions or pay scales.

There being no further discussion, the motion to adopt Resolution 2021-03-15-10 passed by a voice vote 4-1 of those members present with Councilmember Lanier dissenting. The council president declared the same passed and adopted.

11. **Resolution 2021-03-15-11** for consideration to approve a job description and pay scale for a position within the Administration Department was introduced by Council President Mercer.

Councilmember Wash moved to adopt Resolution 2021-03-15-11 and Councilmember Coram seconded the motion.

Councilmember Lanier voiced the same issues and concerns expressed during the discussion of Resolution 2021-03-15-11.

There being no further discussion, the motion to adopt Resolution 2021-03-15-11 passed by a voice vote 4-1 of those members present with Councilmember Lanier dissenting. The council president declared the same passed and adopted.

12. **Ordinance No. 504** for consideration to deannex certain real property known as the Summer Place and Brook Ridge Estates subdivisions within the corporate limits of the City of Pelham.
First Reading

Ordinance No. 504 was introduced and read in its entirety by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 504 is available at Pelham City Hall and online at www.pelhamalabama.gov.

Council President Mercer announced this Ordinance will likely be considered by the city council at a future city council meeting.

Councilmember Palmer moved that all rules which would prevent the immediate consideration of Ordinance No. 504 be suspended and immediate consideration given. The motion was seconded by Councilmember Wash. The roll call vote on said motion was recorded by the city clerk/treasurer 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 announced that all rules which would prevent the immediate consideration of Ordinance No. 504 be suspended and immediate consideration given passed unanimously by roll call vote.

Councilmember Palmer spoke in favor of the deannexation.

Councilmember Wash moved and Councilmember Coram seconded the motion that said Ordinance No. 504 be given vote. The roll call vote on 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>

Ordinance No. 504 passed by vote a unanimous roll call vote of those members present. The Council President declared the same passed and adopted.

Mayor Waters thanked the city council, county officials and the homeowners who were involved in the passage of Ordinance No. 504.

13. **Resolution 2021-03-15-12** for consideration to approve the relocating of ABC License 040 – Retail Beer (On or Off Premises) and a 060 – Retail Table Wine (On or Off Premises) license for The Beer Hog, LLC operating under the trade name The Beer Hog to 2408 Pelham Parkway which is currently located at 112 Bowling Lane, Pelham, AL 35124 and to approve an application for 020 Retail Restaurant for applicant The Beer Hog, LLC operating under the trade name, The Beer Hog, located 2408 Pelham Parkway, Pelham, Alabama 35124 was introduced by Council President Mercer.

Councilmember Coram moved to adopt Resolution 2021-03-15-12 and Councilmember Wash seconded the motion.

Council President Mercer commented on the move and expressed his support for Resolution 2021-03-15-12.

There being no further discussion, the motion to adopt Resolution 2021-03-15-12 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

PUBLIC COMMENTS

Public comments are limited to three (3) minutes per speaker. Individuals wishing to address the City Council may after being recognized approach the podium and state their name and address prior to making their comments in a respectful manner.

Kerri Pate, candidate for the Alabama Legislature, House District No. 73, addressed the city council.

COUNCIL COMMENTS

Councilmember Coram spoke to the real problem of drug abuse in our nation and how this issue has affected his family. He encouraged the community to embrace those struggling with an addiction.

Councilmember Palmer thanked City Manager DiFante for introducing the new city employees to the city council.

Councilmember Lanier thanked Parks & Recreation Director D. Tyrell McGirt and his staff for the opening day at City Park. She thanked Dr. Scott Coefield and the Pelham Board of Education for everything they do in our community in support of our children.

Council President Mercer thanked Councilmember Lanier for singing the National Anthem at opening day at City Park. He also thanked Parks & Recreation Director D. Tyrell McGirt and his staff for a wonderful opening day ceremony. He asked the city council to begin thinking about scheduling interviews for the various board and commission positions. He said the application period closed on March 10.

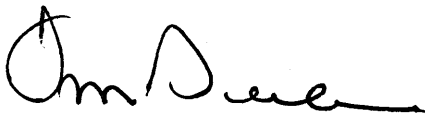
PUBLIC ANNOUNCEMENTS

1. The Pelham City Council has scheduled a special work session for Monday, March 29, 2021 at 4:00 p.m. at the Pelham Senior Center for the purpose of interviewing candidates for the Pelham Board of Education, Place No. 3.
2. Heavy Trash Day is Saturday, March 27, 2021. Residents will have the opportunity to discard items not normally picked up by Waste Management. All items need to be curbside by 6:00 a.m. Residents must make an appointment by either registering on the city's website www.pelhamalabama.gov or by calling 205-640-7000. A list of items accepted and not accepted can be found on the city's website, as well.
3. ProTec Recycling and the City of Pelham will host a spring shred and e-recycling event on Saturday, March 27, 2021 from 9:00 a.m. until 12:00 Noon. It will take place in front of City Hall, 3162 Pelham Parkway. Additional, details about shredding and e-recycling are available on the city's website, www.pelhamalabama.gov.
4. Shelby County will host a Free Landfill Day at the Shelby County Landfill located at 401 Landfill Road on Highway 70 between Columbiana and Calera on Saturday, March 27, 2021 from 7:30 a.m. until 3:30 p.m. All participants must be unloaded and exited from the landfill by 3:30 p.m.

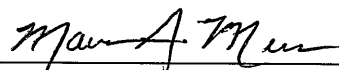
ADJOURNMENT

With no other business before the council, Councilmember Coram moved to adjourn the council meeting and Councilmember Wash seconded the motion. By voice vote, the motion passed unanimously by those members present and the meeting was adjourned at 8:56 p.m.

Respectfully submitted this 15th day of March 2021,



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

