



WORK SESSION
Pelham Senior Center
May 17, 2021 – 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 on Monday, May 17, 2021 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

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 Wash to approve the May 3, 2021 Regular Council Work Session Minutes. The motion was seconded by Councilmember Coram and passed by unanimous voice vote of those members present.

New Business

1. Interviews – Pelham Library Board

a. Sally Daniel (5:05 p.m.)

b. Connita Turner (5:10 p.m.)

2. Interviews – Pelham Storm Water Board

a. Keith Chambers (5:15 p.m.)

b. Will Moore (5:20 p.m.)

The city council requested the city clerk/treasurer prepare a resolution for board appointment considerations for the June 7, 2021 city council meeting.

Council President Mercer asked the city clerk/treasurer to post the additional Storm Water Board vacancies through June 2021.

3. Pelham Parks & Recreation Advisory Board

a. Caleb Newell (5:25 p.m.)

The candidate interviews concluded at 5:23 p.m.

4. Review – Mid-Year FY2021 Budget

City Manager DiFante gave a brief introduction to the mid-year FY2021 budget review process. She stated having previously met with the City Council Finance Committee, Councilmember Coram and Councilmember Palmer, to review the year to date budget.

Accounting Manager Jenny Gray presented the mid-year FY2021 budget review.

Old Business – None

Review of May 17, 2021 Council Agenda

Council President Mercer reviewed the May 17, 2021 city council agenda.

F. Public Hearing

To consider a resolution (the "Resolution") authorizing (1) an Amendment to Special Economic Incentive Agreement to be dated its date of execution (the "Incentive Agreement Amendment") between the City and HCI Oak Mountain, LLC (the "Developer"), amending that certain Special Economic Incentive Agreement dated August 9, 2019, between the City and the Developer (the "Base Incentive Agreement"), and (2) an Amendment to Development Agreement to be dated its date of execution (the "Development Agreement Amendment" and, together with the Incentive Agreement Amendment, the "Amendments") between the City and the Developer, amending that certain Development Agreement dated August 9, 2019, between the City and the Developer (the "Base Development Agreement" and, together with the Base Incentive Agreement, the "Base Agreements").

City Manager DiFante stated the developer had called her late this afternoon and requested the Public Hearing be cancelled and Resolution 2021-05-17-02 be removed from tonight's city council agenda.

A motion was made by Councilmember Coram to remove the Public Hearing and Resolution 2021-05-17-02 from the May 17, 2021 city council agenda. Said motion was seconded by Councilmember Lanier. There being no further discussion said motion passed by a unanimous voice vote of those members present.

City Manager DiFante requested Resolutions 2021-05-17-07 and 2021-05-17-08 removed from tonight's city council agenda.

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. 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 was on May 3, 2021.

Councilmember Palmer expressed his concerns about the manner in which Ordinance No. 506 was drafted with regard to the step raise incentive. Councilmember Lanier concurred with the comments of Councilmember Palmer. Council President Mercer suggested surveying the number of employees who might qualify and be eligible for the step raise. Discussion followed regarding the number of employees who may have reached the top of their pay scale and how it would affect those employees.

A motion was made by Councilmember Lanier to remove Ordinance No. 506 from the May 17, 2021 city council agenda. Said motion was seconded by Councilmember Palmer. There being no further discussion said motion passed by a unanimous voice vote of those members present.

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

1. **Resolution 2021-05-17-01** for consideration to appoint members to the new Pelham Parks & Recreation Advisory Board

Councilmember Lanier noted three candidates for appointment to the Pelham Parks & Recreation Advisory Board had tied in the evaluation process and she felt the council should discuss further. She said she would like to have the opportunity to invite these candidates to return for an additional interview.

A motion was made by Councilmember Lanier to remove Resolution 2021-05-17-01 from the May 17, 2021 city council agenda. Said motion was seconded by Councilmember Coram. There being no further discussion said motion passed by a unanimous voice vote of those members present.

2. **Resolution 2021-05-17-02** for consideration to authorize an amendment to the Development Agreement between the City of Pelham and HCI Oak Mountain, LLC and to consider authorizing an amendment to the Special Economic Incentive Agreement between the City of Pelham and HCI Oak Mountain, LLC

Resolution 2021-05-17-02 was removed for the May 17, 2021 city council agenda by council action.

3. **Resolution 2021-05-17-03** for consideration to appoint a member to the unexpired term of Place No. 1 on the Pelham Commercial Development Authority

Councilmember Lanier and Councilmember Wash agreed to move forward with the appointment.

4. **Resolution 2021-05-17-04** for consideration to accept the annual Municipal Water Pollution Prevention (MWPP) Program Report prepared by Municipal Consultants, Inc.

Chris Cousins, Municipal Consultants, Inc., stated this is an annual report required by the Alabama Department of Environmental Management (ADEM). Mr. Cousins said the city scored at 80 out of 783, with 0 being the best possible score.

5. **Resolution 2021-05-17-05** for consideration to enter into a public works contract with Rustic Mountain Roof Restoration to provide technical, professional and construction services regarding the replacement of the roof at Fire Station No. 5 and to amend the Facilities Improvement & Maintenance Plan (FIMP) from \$5,000.00 to \$8,000.00

Mr. Cousins stated upon further inspection of the roof at Fire Station No. 5 resulted in the discovery of additional issues with the roof deck. He said the roof was already on a five year replacement schedule but recommended replacing it at this time due to the concerns with the integrity of the roof.

6. **Resolution 2021-05-17-06** for consideration to approve a construction change order and amending the Ballantrae Golf FY2021 budget regarding the repairs at and along Hole No. 11 at Ballantrae Golf Club

Mr. Cousins stated this is a summary change order which adds to the overall budget expense in the amount of \$2,750.00 and reflects a final project cost of \$35,996.24.

7. **Resolution 2021-05-17-07** authorizing the formation of the Cahaba Solid Waste Disposal Authority

A motion was made by Councilmember Coram to remove Resolution 2021-05-17-07 from the May 17, 2021 city council agenda. Said motion was seconded by Councilmember Lanier. There being no further discussion said motion passed by a unanimous voice vote of those members present.

Additional discussion followed later in the work session.

8. **Resolution 2021-05-17-08** appointing City Manager Gretchen DiFante to the Cahaba Solid Waste Disposal Authority Board of Directors, Place No. 3, with the term of office ending on December 31, 2024

A motion was made by Councilmember Coram to remove Resolution 2021-05-17-08 from the May 17, 2021 city council agenda. Said motion was seconded by Councilmember Lanier. There being no further discussion said motion passed by a unanimous voice vote of those members present.

9. **Resolution 2021-05-17-09** for consideration to accept the lowest responsible proposal and enter into an agreement with Webb Payroll Service, Inc. for payroll processing

There were no questions or comments from the city council.

10. **Ordinance No. 288-14** to amend Code of Ordinances, City of Pelham, Alabama, Chapter 5, Article I, Section 5-1 Subsection (4) – License shall be location specific, and Subsection (28) – License Fee Schedule FF (Mobile Food Units). First Reading.

There were no questions or comments from the city council.

11. **Ordinance No. 507** authorizing the real estate sale of Lot No. 2, according to the Final Plat of the Woodland Mobile Home Park Subdivision as recorded in Map Book 54, Page 21 in the office of the Judge of Probate of Shelby County, Alabama to Process Equipment, Inc. First Reading

Council President Mercer explained the need to suspend the rule for immediate consideration in order to move forward with an early June 2021 real estate closing date.

12. Discussion – June 7, 2021 Work Session

Council President Mercer asked the city council to consider at start time of 4:00 p.m. on June 7 in order to conduct additional Parks & Recreation Advisory Board interviews and to discuss the Cahaba Solid Waste Authority. The city council concurred with this request.

(End of May 17, 2021 Agenda Review)

7. **Continued: Resolution 2021-05-17-07** authorizing the formation of the Cahaba Solid Waste Disposal Authority

Discussion regarding the solid waste authority continued. City Manager DiFante stated her concerns about moving to a new garbage vendor. Councilmember Lanier expressed her concerns regarding the formation of a solid waste authority. Council President Mercer noted the lateness of the hour and asked the council's wishes on whether to continue discussion at this time, recess the work session and return after the council meeting or place this item on a future agenda. Councilmember Coram, Councilmember Palmer, Councilmember Wash and Council President Mercer stated their desire on hearing City Manager DiFante's presentation tonight.

A motion was made by Councilmember Coram to recess the May 17, 2021 work session. Said motion was seconded by Councilmember Wash. There being no further discussion said motion passed by a majority voice vote of 4-1 of those members present with Councilmember Lanier dissenting.

The May 17, 2021 work session recessed at 7:18 p.m.

Council President Mercer called the work session back to order at 8:52 p.m.

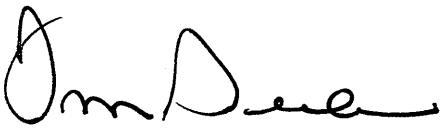
City Manager DiFante addressed the city council regarding the Cahaba Solid Waste Authority. She suggested a member of the city council serve on the solid waste authority board. She went into detail on the purpose and direction the elected officials in each municipality want with regard to garbage service. City Manager DiFante stated if Pelham wants to be a member of the Authority it would require the adoption of a resolution by the city council. City Attorney Josh Arnold offered to answer questions from the city council. He explained the Authority is created in the same manner as a utility board. He noted the advantages of being a member of the Authority. Mr. Arnold suggested the city council read Section 11-89A-1 to 11-89A-25, Code of Alabama (1975), as amended. He said the resolution the council would pass adopts the Articles of Incorporation and makes Pelham a member. City Manager DiFante and City Attorney Arnold answered several posed by the city council. City Manager DiFante stated if Pelham

is involved in the formation of the Authority we can be a part of the negotiations. She further stated Pelham can always join in the future. Council President Mercer asked the council to forward any additional questions to the city manager or the city attorney. Mr. Bittas said there is an advantage to joining early in order to be a part of the formation and provide input into the creation of the Authority. He stated the city is making no commitment by simply joining the Authority. He further stated the city would have 365 days to make a decision on whether to use the solid waste service or not.

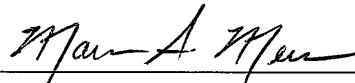
Adjournment

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 9:23 p.m.

Respectfully submitted this 17th day of May 2021.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

