



CITY COUNCIL WORK SESSION MINUTES

Pelham City Hall
Council Conference Room
August 21, 2023 – 5:30 p.m.

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, August 21, 2023, at 5:30 p.m. The regular work session was held in the Council Conference Room at Pelham City Hall and was open to the public.

Call to Order

The work session was called to order by Council President Mercer at 5:35 p.m.

Record of Attendance

The following elected officials were present:

Council President Maurice Mercer
Councilmember Rick Wash
Councilmember David Coram
Councilmember Chad Leverett
Councilmember Mildred Lanier-Reed
Mayor Gary Waters

The city clerk/treasurer recorded the attendance of the elected officials and announced a quorum was present. City Manager Gretchen DiFante and City Attorney Josh Arnold was present.

Media Present: Shelby County Reporter

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 August 3, 2023, August 8, 2023, August 9, 2023, August 10, 2023 Special Works Session Minutes, and the August 7, 2023 Regular Work Session Minutes.

The motion was seconded by Councilmember Leverett. There being no further discussion, the council president announced the motion passed by a majority voice vote of those members present.

Request to Address the City Council – None

Old Business

1. Discussion – FY2023 Operating and Capital Budgets

City Manager Gretchen DiFante and Finance Director Jamie Wagner reviewed the June 2023 actual year to date revenues. Mrs. Wagner noted the original FY2024 sales and use tax budget projections were through May 2023. She stated the possible need to lower the FY2024 projections by 2%. City Manager Gretchen DiFante stated the month over month for June is the first time a decrease has been noted. She said this is not necessarily a trend, but something to watch.

New Business

1. Discussion – Funding Request Procedures/Form

City Manager DiFante and Assistant to the City Manager Brooke Jenkins reviewed the current Funding Request Form. Mrs. Jenkins noted the requested changes to the form. Council President Mercer asked the city clerk/treasurer to update Resolution 2009-07-20-01 for city council review and consideration.

Review of August 21, 2023 City Council Agenda

Council President Mercer reviewed the August 21, 2023 city council agenda.

E. Consent Agenda

A consent agenda is presented by the presiding officer at the beginning of a council meeting. Items presented on the consent agenda are considered routine and/or non-controversial and are organized apart from the rest of the agenda and are adopted by general consent and vote by the city council 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 presiding officer and City Council.

1. Approval of the August 21, 2023 City Council Agenda
2. Approval of the August 7, 2023 Regular Council Meeting Minutes
3. **Resolution 2023-08-21-01** for consideration to authorize membership rates for Pelham City School employees at the Pelham Recreation Center

Parks & Recreation Director Brian Cooper stated this membership agreement is an opportunity to continue our relationship with the Pelham Board of Education. He said he expects about 30 memberships.

4. **Resolution 2023-08-21-02** for consideration to adopt the City of Pelham Transportation Plan for Fiscal Year 2024

Director of Development Services & Public Works Andre` Bittas explained the ALDOT requirement to adopt an FY2024 City of Pelham Transportation Plan.

5. **Resolution 2023-08-21-03** for consideration to enter into an agreement with the State of Alabama acting by and through Alabama Department of Transportation (ALDOT) for the replacement of non-compliant curb ramps in three (3) locations in Pelham, Alabama, Project No. STPAA-NR13(909)

Director of Development Services & Public Works Andre` Bittas explained the three locations along Highway 119 which will be updated to make each American with Disabilities Act (ADA) compliant.

6. **Resolution 2023-08-21-04** for consideration to enter into an agreement with the State of Alabama acting by and through Alabama Department of Transportation (ALDOT) to cooperate for right-of-way acquisition, utility relocation and construction funding agreement of the addition of lanes on Shelby County Highway 17 (Valleydale Road) and State Road 261

Director of Development Services & Public Works Andre` Bittas stated this is a funding agreement among several cities and Shelby County. ALDOT is managing the project and each city has committed to a set funding amount. He stated the funding source has been changed on the state level, which requires reapproving the agreement.

Mr. Bittas updated the city council on the Highway 261 widening project. He stated there are 63 right-of-way parcels under negotiation which need to be acquired. Mr. Bittas said he expected the construction bid to be let in the fall of 2024. The project will extend from US Highway 31 to Bearden Road.

7. **Resolution 2023-08-21-05** for consideration to enter into an agreement with AQUA Backflow to assist with inspections and documentation as a part of the city's Cross Connection Control Program. There is no cost to the city for this program.

Chris Cousins explained the agreement will assist with inspections and documentation as a part of the city's Cross Connection Control Program. The Alabama Department of Environmental Management (ADEM) requires annual testing on commercial water customers. Director of Development Services & Public Works Andre` Bittas stated the agreement provides for inspections, documentation, and notifications. He noted there is no cost to the city.

8. **Resolution 2023-08-21-06** for consideration to approve a public works contract with Pelham Fences and Decks, LLC for a new fence surrounding the Pelham Street Department Shop. This capital project was budgeted in FY2023.

Director of Development Services & Public Works Andre` Bittas stated the need to fence the area to secure the city's equipment and building.

9. **Resolution 2023-08-21-07** for consideration to approve a public works contract with Alabama Structures to manufacture and install an additional pole barn at the Water Department Shop. This project was budgeted in FY2023.

Director of Development Services & Public Works Andre` Bittas said the pole barn will allow for better control and utilization of the city's resources.

10. **Resolution 2023-08-21-08** for consideration to enter into a purchase agreement with GameTime/Struthers Recreation, LLC to provide and install playground equipment at Pelham Park through OMNIA Partners, a purchasing cooperative, Contract No. 2017001134. This project was budgeted in FY2023.

Parks & Recreation Director Brian Cooper said, if approved, the playground will take about three months to be manufactured and delivered. He noted the large purchasing discount received by the city.

11. **Resolution 2023-08-21-09** for consideration to purchase a backup application/hardware through C-Spire Business using the NCPA Government Services Administration (GSA), Schedule No. GS-35F-303DA Contract, a purchasing cooperative, to replace the current backup application/hardware. This project was budgeted in FY2023.

Director of Information Technology (IT) Chuck Crocker explained GSA has several contracts the city can take advantage of. He said the equipment will be used to back up all the city data, in addition to having backup storage at an offsite location. Mr. Crocker stated this equipment is a step toward moving away from Thrive, our current provider. He further stated the purchase will save the city approximately \$250,000 over the next five years.

F. Public Hearing(s)

1. To consider **Ordinance No. 135-257** an amendment to the zone district boundaries of the City of Pelham changing the present zoning B-2 (General Business District) to R-T (Townhouse Residential District) for property located on the north side of Midridge Lane approximately 400 feet east of Pelham Parkway, containing approximately 2.99 (+/-) acres.

Applicant: Sohil Lalani, 4889 Provence Circle, Vestavia Hills, Alabama 35242.

Owner: Lovelady Properties, LLC, 3347 Pelham, Parkway, Pelham, Alabama 35124

G. Mayor's Comments

H. Proclamation(s) by the Mayor and Others

1. Declaring September 2023 as Gynecologic Cancer Awareness Month in the City of Pelham

I. Report of the City Manager

J. Report of the City Attorney – None

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

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

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

1. **Resolution 2023-08-21-10** for consideration to approve a job description and associated pay ranges for the position of Project Manager-Grants within the Finance Department previously reviewed and approved by the Pelham Personnel Board.

Finance Director Jamie Wagner stated having reviewed requirements for certification for this position. She said there were no national association certifications, but she found a three-year certification program, which has been added to the job description. Mrs. Wagner said the only change in the job description was the certification requirement. Council President Mercer stated the grant management position would pay for itself over time. Mrs. Wagner explained the grant writing process might have a need for additional assistance to complete the grant application. City Manager DiFante said there are many Alabama Department of Economic and Community Affairs (ADECA) grants that no one is applying for. She said this position will report to the Finance Director. Additional discussion followed between City Manager DiFante, Finance Director Wagner and the city council. Mayor Waters spoke in favor of the position.

2. **Ordinance No. 067-13** amending Chapter 4, Article I, Section 4.2, Building Permit Fees, City of Pelham Code of Ordinances. **First Reading was on August 7, 2023.**

There were no comments or questions from the city council.

3. **Ordinance No. 324-06** amending Ordinance Number 324-04 levying a privilege license or excise tax against persons, firms or corporations storing, using or otherwise consuming or engaging in the business of selling at retail tangible personal property or conducting places of amusement in the City of Pelham, Alabama. **First Reading was on August 7, 2023.**

There were no comments or questions from the city council.

4. **Ordinance No. 513** declaring certain real property of the City of Pelham is no longer needed for public or municipal purposes, located at 1297 Shelby County Highway 52E, Pelham, Alabama 35124 and known as Old Fire Station No. 3. **First Reading.**

Director of Economic Development Michael Simon stated there have been no changes to the purchase agreement since the last discussion. Council President Mercer stated the purchaser has requested the city council move the purchase forward as quickly as possible. Mr. Simon stated the purchaser is in a lease agreement and would like to close on the purchase as soon as possible.

5. **Resolution 2023-08-21-11** for consideration to authorize the sale of real estate pursuant Section § 11-47-20, Code of Alabama 1975, as amended, containing .94 acres (+/-) located at 1297 County Road 52E, Pelham, Alabama 35124 and known as Old Fire Station No. 3, and recorded in Book 267, Page 305-306 and identified as parcel 14 4 19 3 001 010.002 in the office of the Judge of Probate of Shelby County, Alabama to Southeastern Construction Partners, LLC.

There were no comments or questions from the city council.

6. **Ordinance No. 418-01** amending Chapter 11, Article VIII by adding a Section 11-164 to the Code of Ordinances of the City of Pelham establishing a Pelham Arts and Entertainment District. **First Reading**

Director of Economic Development Michael Simon stated the only change is the map which reduced the acreage in the entertainment district from 132 to 117.

7. **Ordinance No. 135-257** an amendment to the zone district boundaries of the City of Pelham changing the present zoning B-2 (General Business District) to R-T (Townhouse Residential

District) for property located on the north side of Midridge Lane approximately 400 feet east of Pelham Parkway, containing approximately 2.99 (+/-) acres. **First Reading.**

Applicant: Sohil Lalani, 4889 Provence Circle, Vestavia Hills, Alabama 35242.

Owner: Lovelady Properties, LLC, 3347 Pelham, Parkway, Pelham, Alabama 35124

There were no comments or questions from the city council.

8. **Resolution 2023-08-21-12** for consideration of an ABC application(s) for a 020 – Restaurant Retail Liquor license for Pelham Mac, LLC operating under the trade name Taco Mac, located at 2500 Canopy Trail, Pelham, Alabama 35124

Councilmember David Coram reported this is the new location for Taco Mac, the first in Alabama. He stated having visited the restaurant on Friday and was very impressed with the facility. He said Taco Mac is familiar with the Responsible Vendor Program and will adhere to the requirements.

(End of the August 21, 2023 Agenda Review)

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 6:48 p.m.

Respectfully submitted this 21st day of August 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

