



CITY COUNCIL MEETING MINUTES

Pelham City Hall
Council Chambers
July 10, 2023 – 7:00 p.m.

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: July 10, 2023
Time: 7:00 p.m.
Place: Pelham City Hall – Council Chambers
Present: Council President Maurice Mercer
Councilmember Chad Leverett
Councilmember Rick Wash
Councilmember Mildred Lanier
Mayor Gary Waters

Not Present: Councilmember David Coram

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Mercer called the meeting to order at 7:10 p.m. Mayor Waters led the invocation. The Pledge of Allegiance was led by Councilmember Leverett.

RECORD OF ATTENDANCE

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 were present.

RETIREMENT RECOGNITION

Council President Mercer noted Lt. James Carter's retirement recognition would be rescheduled at a later date.

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, 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 considered 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 July 10, 2023 City Council Agenda
2. Approval of the June 20, 2023 Regular City Council Meeting Minutes
3. **Resolution 2023-07-10-01** for consideration to appoint citizens to the Pelham Board of Adjustment (Supernumery Positions), effective immediately with the term of office ending September 30, 2023
4. **Resolution 2023-07-10-02** for consideration to approve a proposal from Atlas Technical Consultants, LLC for construction materials testing services for the Amphitheater Road Widening Project. This project was budgeted in FY2023.
5. **Resolution 2023-07-10-03** for consideration to approve a final summary change order for the King Valley Drive PVC Replacement Project. This project was budgeted in FY2023.

- 6. **Resolution 2023-07-10-04** for consideration to accept the lowest and most responsible bid from Willoughby Contracting Co., Inc. for the Ballantrae Back-Up Water Supply Project. This project was budgeted in FY2023.
- 7. **Resolution 2023-07-10-05** for consideration to accept responsibility for the electrical bill only for six (6) new streetlights in the Oak Forest neighborhood
- 8. **Resolution 2023-07-10-06** for consideration to accept the lowest and most responsible bid from Norris Paving & Asphalt, Inc. for the public parking expansion project at the Pelham Civic Complex & Ice Arena and amend the FY2023 Bond Projects Budget
- 9. **Ordinance No. 091-05** for consideration to amend the water fees structure for residential and commercial customers effective October 1, 2023. (First Reading was on June 20, 2023)
- 10. **Ordinance No. 156-10** for consideration to amend the sewer fees structure for residential and commercial customers effective October 1, 2023. (First Reading was on June 20, 2023)
- 11. **Ordinance No. 135-255** an amendment to the zone district boundaries of the City of Pelham changing the present zoning M-1 (Light Industrial District) to B-2 (General Commercial District) for Lot No. 2 in the Grande Vista sub-division located near the intersection of Shelby County Highway No. 52E and 35, Pelham, Alabama 35124. (First Reading was on June 20, 2023)

Council President Mercer stated the complete text of the agenda, minutes, ordinance(s), and resolutions are available at Pelham City Hall and online at www.pelhamalabama.gov.

Councilmember Leverett made a motion to adopt the Consent Agenda as presented by Council President Mercer.

Councilmember Wash seconded the motion.

Council President Mercer asked the city clerk/treasurer for a roll call vote. The vote to adopt the Consent Agenda was recorded as follows:

Maurice Mercer, Council President	<u>Yes</u>
David Coram, Council Member	<u>Not Present</u>
Chad Leverett, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Yes</u>
Mildred Lanier, Council Member	<u>Yes</u>

There being no further discussion, the motion to adopt the Consent Agenda passed unanimously by roll call vote of those members present and the council president declared the same passed and adopted.

PUBLIC HEARING(S)

Councilmember Wash moved to recess the city council meeting to hold a public hearing for which proper notice had been given. The motion was seconded by Councilmember Leverett and approved unanimously by voice vote of those members present. The council meeting recessed at 7:14 p.m.

Council President Mercer explained the purpose of the public hearing is to consider an amendment to the zone district boundaries of the City of Pelham changing the present zoning MX-C (Mixed Use Development District) to R-G (Garden Home Residential District) for property located on the east side of Huntley Parkway approximately 1,500 feet north of Simmsville Road (Shelby County Highway No. 11).

Applicant: Grants Mill, LLC, 2106 Devereux Circle, Birmingham, AL 35243.

Owner: Louise Ann Pardue Devers, et al, 451 Tranquil Bay Circle, Norwood, NC. 28128

Council President Mercer announced the public hearing was in session regarding amending the Zoning Ordinance of the City of Pelham as noted in proposed Ordinance No. 135-256. He further stated the city

council would now hear comments both for and against the consideration to amend the Zoning Ordinance of the City of Pelham.

Speaking in favor of amending the Zoning Ordinance:

- Director of Development Services & Public Works Andre` Bittas stated city staff has reviewed the project and supports the rezoning and is consistent with the city's long range land use plan.
- Price Hightower, Tower Homes, stated his company has been in business for 30 years and has built over 2,000 homes. He said they are requesting a rezoning to build 84 single-family garden homes in the mid \$400s to lower \$500s price range. He stated the rezoning is consistent with the city's land use master plan. Mr. Hightower said the current zoning allows for 280 apartments with mixed use retail which translates to 50 apartments per acre. He said Tower Homes plans to build six homes per acre, greatly reducing the housing density. He further stated the estimated daily trip traffic count will drop from 2,773 to 860.

Speaking against amending the Zoning Ordinance:

- None

Council President Mercer called the council meeting back to order at 7:18 p.m.

MAYOR'S REPORT/COMMENTS

Mayor Waters noted the passing of former councilmember Karyl Rice who served 32 years as a member of the Pelham City Council. He said she will be greatly missed. Mayor Waters asked everyone to keep the Rice family in their thoughts and prayers.

PROCLAMATION(S) AND RESOLUTION(S) BY THE MAYOR AND OTHERS – None

REPORT OF THE CITY MANAGER

City Manager Gretchen DiFante made the following comments.

- Working on a Request for Proposals (RFP) to improve ambulance service in Pelham. The RFP will be released in a couple of weeks.
- The FY2024 budgets have been entered into the ERP system.
- Amphitheater Road is under construction.
- The city's annual paving project begins next week.
- The Splash Pad will be ready to open in a couple of weeks. Shelby County has assisted in the project. The decision has been made to open the Splash Pad when it is finished. The city council was thanked for their commitment to the project.
- Thanked Seth Greenberg, Executive Director at the Pelham Civic Complex & Ice Arena, and Dr. Ledbetter for their efforts in providing ice skating lessons to kindergarten students. Hopefully, this unique partnership with the Pelham City Schools will begin this school year and develop future ice skaters and hockey players.

REPORT OF THE CITY ATTORNEY – None

REQUEST(S) TO ADDRESS THE COUNCIL

Alise Tressillian addressed the city council regarding short term rental of residential properties. Finance Director Jamie Wagner stated there is no timeline to review short term residential rentals. City Manager DiFante stated the need to review the current ordinance and get direction from the city council. Councilmember Lanier, Councilmember Wash and Councilmember Leverett thanked Mrs. Tressillian for her presentation to the city council. Councilmember Wash agreed this issue needs to be addressed by the city.

OLD BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS – None

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Ordinance No. 135-256** an amendment to the zone district boundaries of the City of Pelham changing the present zoning MX-C (Mixed Use Development District) to R-G (Garden Home Residential District) for property located on the east side of Huntley Parkway approximately 1,500 feet north of Simmsville Road (Shelby County Highway No. 11) was read in its entirety by Council President Mercer as a First Reading.

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

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 physical address prior to making their comments in a respectful manner.

There were no public comments.

CITY COUNCIL COMMENTS

Councilmember Leverett thanked City Manager DiFante and the city staff for their efforts in moving the construction of the Splash Pad forward. He asked everyone to keep the first responders in their thoughts and prayers.

Councilmember Wash thanked everyone for attending tonight's city council meeting. He congratulated Councilmember Lanier on her forthcoming wedding.

Councilmember Lanier stated the "Fire on the Water" fireworks were great.

Council President Mercer offered his congratulations to Councilmember Lanier.

PUBLIC ANNOUNCEMENTS

1. The Pelham City Council is accepting letters of interest and resumes through Wednesday, July 12th at 5:00 p.m. from those citizens who would like to be considered for an appointment to the Pelham Board of Adjustment and Appeals, Place 3. Please submit all letters and resumes to Pelham City Clerk/Treasurer Tom Seale or email tom@pelhamalabama.gov prior to the deadline. The city clerk/treasurer will acknowledge receipt of the application by email.
2. The 2023 "Back to School" Sales Tax Holiday begins at 12:01 a.m. on Friday, July 21, 2023 and ends at twelve midnight on Sunday, July 23, 2023.
3. The city council has rescheduled the July 17, 2023 work session and council meeting to July 24th. Starting times to be announced.
4. The Pelham Parks & Recreation Department will be hosting "Movies in the Park" on Friday, July 21st at City Park.

ADJOURNMENT

With no other business before the council, Councilmember Wash moved to adjourn the council meeting and Councilmember Leverett seconded the motion. By voice vote the motion passed unanimously by those members present and the meeting was adjourned at 7:41 p.m.

Respectfully submitted this 10th day of July 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

