



## CITY COUNCIL WORK SESSION MINUTES

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Pelham City Hall  
Council Chambers  
July 24, 2023 – 4:30 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, July 24, 2023, at 4:30 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 4:30 p.m.

### Record of Attendance

The following elected officials were present:

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

The following elected official was not present:

Councilmember David Coram

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

Media Present: None

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

### Approval of Minutes

Councilmember Lanier Reed made a motion to table the approval of the July 10, 2023 work session minutes. The motion was seconded by Councilmember Leverett and passed by a unanimous voice vote of those

members present. The consensus was for the city clerk/treasurer to forward the proposed revisions to the city council after City Manager DiFante has had an opportunity to review her comments.

#### Request to Address the City Council – None

#### Old Business

##### 1. Sales & Use Taxes

Finance Director Jamie Wagner reviewed the timeline required to implement the sales and use tax increase on November 1, 2023. She noted the state's requirement to give the Alabama Department of Revenue 60 days notice prior to an increase. Mrs. Wagner reviewed the notification process drafted with the assistance of Ainsley Allison, Manager of Communications and Branding. She provided the city council copies of proposed Ordinance No. 324-06. Council President Mercer stated the need to move forward with notification of the public hearing to allow for public comments at that time. Councilmember Wash stated he would be out of town on August 7, 2023. The consensus of the city council was to move forward with the announcement of the public hearing on August 7, 2023 at 7:00 p.m. in the Council Chambers at Pelham City Hall.

##### 2. Discussion – Old Fire Station No. 3 Purchase Offers

Economic Development Director Michael Simon reviewed the pending purchase offers as follows:

- a. Pelham Church of God: \$100 per year, 10-year lease, option to purchase. The agreement includes payment by the church for utilities, property taxes, maintenance, and insurance.
- b. Triple Point Properties, LLC: \$525,000 purchase, \$50,000 to be returned of the purchase monies after completion of the renovations and a signed lease.
- c. Southeastern Construction Partners, LLC: \$525,000 purchase
- d. Fortis, LLC: \$300,000 purchase

Mr. Simon said he received a revised offer from the Pelham Church of God earlier today.

Leigh Hulsey, owner of Fortis, LLC, doing business as CrossFit Alabaster, stated having made a request to the CrossFit corporate office regarding a name change from CrossFit Alabaster to CrossFit Alpha. She stated CrossFit was willing to consider CrossFit Alpha as the new name.

Council President Mercer asked if city staff had a recommendation regarding the proposed sale. Mr. Simon stated he would like to see the property sold to an income producing business that would generate sales and uses taxes, and/or property taxes. The council questioned several of the proposed purchasers regarding timelines and potential uses of the old Fire Station No. 3 site.

Council President Mercer suggested further discussion regarding the sale of the property be conducted in an executive session. There was agreement among the city council to his suggestion.

## Executive Session

Council President Mercer stated for the record the purpose of the Executive Session is to discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property, per Section 36-25A-7(6) Code of Alabama 1975, as amended.

City Attorney Josh Arnold stated the purpose of tonight's Executive Session is appropriate under Section 36-25A-7(6) and Code of Alabama 1975, as amended.

A motion was made by Councilmember Wash to enter an Executive Session of the city council for the stated purpose. Said motion was seconded by Councilmember Leverett. 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   | <u>Yes</u>         |
| David Coram, Councilmember          | <u>Not Present</u> |
| Chad Leverett, Council Member       | <u>Yes</u>         |
| Rick Wash, Council Member           | <u>Yes</u>         |
| Mildred Lanier Reed, Council Member | <u>Yes</u>         |

Council President Mercer asked the members of the city council, Mayor Waters, City Attorney Josh Arnold, Economic Development Director Michael Simon, Director of Development Services & Public Works Andre' Bittas, Real Estate Agent Mark Dinan 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 25 minutes. The city council went into Executive Session at 5:05 p.m.

Economic Development Director Michael Simon and Real Estate Agent Mark Dinan were excused from the Executive Session at 5:20 p.m.

Councilmember Wash moved to adjourn the Executive Session. Said motion was seconded by Councilmember Leverett. The motion passed unanimously by voice vote of those members present and the Executive Session was adjourned at 5:37 p.m.

Council President Mercer called the work session back to order at 5:38 p.m.

A motion was made by Councilmember Leverett to lay on the table further discussion on the sale of Old Fire Station No. 3. Said motion was seconded by Councilmember Lanier Reed. There being no further discussion the motion to lay on the table further discussion on the topic passed by a unanimous voice vote of those members present and the council president declared the same passed.

### 3. Discussion - Proposed Pelham Creekside Arts & Entertainment District

Economic Development Director Michael Simon discussed a proposed name for consideration by the city council. He stated having had discussions with Police Chief Brent Sugg, Fire Chief Mike Reid, Executive Director of the Pelham Civic Complex & Ice Arena Seth Greenberg, and Director of Parks & Recreation

Brian Cooper regarding the times of operation for the entertainment district. Mr. Simon stated the goal is to make Pelham a destination place and support the businesses in the entertainment district. Mr. Simon discussed establishing physical boundaries of the district. Discussion continued among the city council regarding proposed hours of operation. Chief Sugg stated it is important the entertainment district's rules and regulations established by the city council are enforceable by the police department. Mr. Simon stated the direction given to him tonight will allow for the preparation and finalizing of the ordinance establishing the entertainment district. Councilmember Lanier Reed expressed several concerns about expanding the footprint of the entertainment district. City Attorney Josh Arnold mentioned the option of modifying the boundaries later.

### New Business

#### 1. Presentation – Christie Hester - CDBG Shelby County Urban County Program

Council President Mercer introduced Christie Hester, Director of Development Services, Shelby County Commission. She explained the Community Development Block Grant Program and the opportunity for Pelham to participate. She said the grant funding is approximately \$1 million per year. She said if Pelham agrees to participate the city would have a seat on the Policy Board. The funding would begin on October 1, 2024. Ms. Hester stated the program would be beneficial to Shelby County and the participating communities. She said the block grants typically fund roads, sewer, water, and other infrastructure projects. She stated funding needs are based on priorities established by the Policy Board. She further stated no matching grant funds are expected from the participating cities.

#### 2. Interview – Pelham Parks & Recreation Board Appointment (Student Representative)

Parks & Recreation Director Brian Cooper introduced Juliana Bitas. She stated she is a junior at Pelham High School, a member of the volleyball team, has lived in Pelham 16 years, and currently volunteers at the Pelham Recreation Center. She mentioned several events she would like to see brought to Pelham. The city council thanked Juliana for her willingness to serve the community.

#### 3. Building Fee Permit Schedule

Director of Development Services & Public Works Andre` Bittas noted the need to update the Building Fee Schedule. He highlighted the fees his department would like to add, which would simply cover the city's cost to provide these services. Mr. Bittas stated a typographical error in a definition was made in the fee schedule approved earlier by the city council, which needs to be corrected.

### Review of July 24, 2023 City Council Agenda

Council President Mercer reviewed the July 24, 2023 city council agenda.

#### F. 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 July 24 2023 City Council Agenda
2. Approval of the July 10, 2023 Regular Council Meeting Minutes
3. **Resolution 2023-07-24-01** for consideration to declare certain personal property of the City of Pelham which are no longer needed for public or municipal purposes as surplus

City Clerk/Treasurer Tom Seale stated the city has two items which are no longer needed for public or municipal purposes and need to be declared surplus. Those items include a 2006 Sterlin Acterra Boom/Brush Truck and a 1997 Zamboni Model 500. Mr. Seale requested the city council approve Resolution 2023-07-24-01 as submitted. Director of Development Services & Public Works Andre` Bittas stated there is no need for the city to operate three brush trucks since this service is now provided by a contractor.

4. **Resolution 2023-07-24-02** for consideration to appoint a citizen to the Pelham Parks & Recreation Advisory Board as the Student Representative

There were no comments or questions from the city council.

5. **Resolution 2023-07-24-03** for consideration to approve an updated job description for the current position of Sergeant within the Pelham Police Department previously reviewed and approved by the Pelham Personnel Board

Police Chief Brent Sugg provided the city council with updated job descriptions for the positions of sergeant, lieutenant, captain, and deputy chief. He noted the current required educational training of these police department positions. He stated his desire to move the requirement for a college degree to preferred requirement. He said changes to years of service were revised in each position, except for deputy chief. The equivalence requirement of experience was added to the deputy chief position. Councilmember Lanier Reed asked Chief Sugg what requirements are necessary in lieu of a degree. He explained those requirements. Chief Sugg explained the difficulty of attracting applicants, regardless of education background.

6. **Resolution 2023-07-24-04** for consideration to approve an updated job description for the current position of Lieutenant within the Pelham Police Department previously reviewed and approved by the Pelham Personnel Board

See the comments under Resolution 2023-07-24-03.

7. **Resolution 2023-07-24-05** for consideration to approve an updated job description for the current position of Captain within the Pelham Police Department previously reviewed and approved by the Pelham Personnel Board

See the comments under Resolution 2023-07-24-03.

8. **Resolution 2023-07-24-06** for consideration to approve an updated job description for the current position of Deputy Chief within the Pelham Police Department previously reviewed and approved by the Pelham Personnel Board

See the comments under Resolution 2023-07-24-03.

9. **Resolution 2023-07-24-07** for consideration to accept the lowest responsible bid from CDI Janitorial Service for janitorial services for the Pelham Tennis Center, Water Works Building, Pelham Public Library, Pelham Recreation Center, Pelham City Hall, Pelham Racquet Club, Pelham Senior Center, Ballantrae Golf Clubhouse and Turf Care Center

City Clerk/Treasurer Tom Seale stated the city mailed Request for Proposals (RFP) on June 28, 2023 to 10 vendors to bid on the janitorial services for the City of Pelham for the next three years. These 10 vendors had bid on the city's 2020 janitorial contract and received a 2023 bid packet. Each was invited to attend a mandatory pre-bid meeting at Pelham City Hall. The RFP was posted at Pelham City Hall and online at [www.pelhamalabama.gov](http://www.pelhamalabama.gov) on Wednesday, June 28, 2023. The pre-bid meeting was held on July 6, 2023 and involved a tour of each facility under consideration. The pre-bid meeting was attended by 11 potential bidders.

He further stated on July 17, 2023 sealed bids were received from five (5) vendors and were opened in public and read aloud. The bids ranged from \$9,910.00 to \$28,000.00 for monthly janitorial service for the Pelham Tennis Center, Water Works Building, Pelham Public Library, Pelham Recreation Center, Pelham City Hall, Pelham Racquet Club, Pelham Senior Center, Ballantrae Golf Clubhouse and Turf Care Center. The apparent low bidder was Uricho Services, Inc. at a monthly rate of \$9,910.00. The proposed contract is for three years with an option for one additional three-year renewal period.

Mr. Seale said due do past documented performance issues Uricho Services, Inc. was disqualified.

He stated the second low bidder was CDI Janitorial Service at \$11,060.00 per month, a Pelham business. CDI Janitorial Service has been a vendor in the past and is a current provider for janitorial services at Pelham City Hall. The city has been satisfied with their services in the past.

Mr. Seale recommended the City Council consider approving the most responsible bid from CDI Janitorial Service for a three-year contract, with an option for one additional three-year period, effective October 1, 2023 at the monthly rate of \$11,060.00.

10. **Resolution 2023-07-24-08** for consideration to participate in the Community Development Block Grant Entitlement Program - Shelby County Urban County

There were no comments or questions from the city council.

11. **Resolution 2023-07-24-09** for consideration to approve a public works contract with Mickey Hamrick Construction for labor and materials for construction of a pavilion at the Pelham Senior Center. This project was budgeted in FY2023.

Parks & Recreation Director Brian Cooper stated the project has already begun. He said this is the next phase of the ongoing projects at the Pelham Senior Center.

Mr. Cooper was questioned about the opening of the splash pad. He said if the splash pad is not painted until next spring, he anticipates an opening date in mid-August 2023.

12. **Resolution 2023-07-24-10** for consideration to approve a public works contract to remove and replace the roof at the Indian Hills Well House. This work has been budgeted in FY2023.

Director of Development Services & Public Works Andre` Bittas stated this is to remove and replace the original roof on the well house.

13. **Resolution 2023-07-24-11** for consideration to approve a professional services agreement between the City of Pelham and Skipper Consulting, Inc. for additional design services for the installation of an emergency exit traffic light at Fire Station No. 3. This work has been budgeted in FY2023.

City Engineer Mike Eddington stated the professional services agreement is for the redesign for an emergency exit traffic light at Fire Station No. 3 on Shelby County Highway 11. He said the original design concept was not approved by the Shelby County Highway Department. Director of Development Services & Public Works Andre` Bittas said the original design was approved by the Shelby County Highway Department but due to staff changes the final design was denied. Mr. Bittas said the redesign should be completed in about two months with the total project completed within six months.

14. **Resolution 2023-07-24-12** for consideration to enter into agreements with Shelby County Park & Recreation Authority (SCPRA) for site work and project administration for drainage improvements at Coker Park. This work has been budgeted in FY2023.

City Engineer Mike Eddington stated the need to regrade this area for the new swing set for drainage purposes and expansion of the parking lot. He said the project should be completed in about 90 days.

- E. Public Hearing(s) – None
- F. Mayor's Comments
- G. Proclamation(s) by the Mayor and Others – None
- H. Report of the City Manager – None
- I. Report of the City Attorney
- J. Request(s) to Address the Council – None
- K. Old Business / Resolutions / Ordinances / Orders and Other Business – None
- L. New Business / Resolutions / Ordinances / Orders and Other Business – None

*(End of July 24, 2023 Agenda Review)*

#### Adjournment

A motion to adjourn the work session was made by Councilmember Lanier Reed and seconded by Councilmember Leverett. The motion passed unanimously by voice vote of those members present and the work session was adjourned at 6:52 p.m.

Respectfully submitted this 24th day of July 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

