



CITY COUNCIL WORK SESSION MINUTES

Pelham City Hall
Council Conference Room
August 7, 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, August 7, 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 David Coram
Councilmember Chad Leverett
Councilmember Mildred Lanier-Reed
Mayor Gary Waters

The following elected official was not present:

Councilmember Rick Wash

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: Shelby County Reporter

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

Approval of Minutes

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

A motion was made by Councilmember Leverett to approve the July 10, 2023 and July 24, 2023 Regular Work Session Minutes.

The motion was seconded by Councilmember Coram. 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

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 and to discuss the legal ramifications of and legal options for pending litigation, controversies not yet being litigated, but imminently likely to be litigated if the governmental body pursues a proposed course of action under Section 36-25A-7(3)(a), 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 Section 36-25A-7(3)(a) Code of Alabama 1975, as amended.

A motion was made by Councilmember Coram to enter into an Executive Session of the city council for the stated purposes. 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>Yes</u>
Chad Leverett, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Not Present</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, IT Director Chuck Crocker 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 45 minutes. The city council went into Executive Session at 4:33 p.m.

Councilmember Coram 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 4:50 p.m.

The work session was called back to order at 4:53 p.m.

Old Business

1. Discussion – Old Fire Station No. 3 Purchase Offers

A motion was made by Councilmember Coram to remove discussion on the sale of Old Fire Station No. 3 from the table. Said motion was seconded by Councilmember Leverett. There being no further discussion the motion to remove from 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.

Economic Development Director Michael Simon said he received a revised offer from Fortis, LLC earlier today, increasing the purchase price from \$300,000.00 to \$400,000.00.

Discussion continued concerning the possible sale of old Fire Station No. 3. Councilmember Leverett stated Councilmember Wash had expressed his thoughts and favored the offer from Southeastern Construction Partners, LLC (Southeastern). Councilmember Leverett stated the offer from Southeastern was the highest received by the city and he was in support of accepting their offer. Councilmember Coram stated he was in favor of the revised Fortis, LLC offer. Councilmember Lanier-Reed stated favoring Southeastern and noted they are a longtime Pelham business. Council President Mercer discussed the offer from Southeastern and the fact the city is looking at a sales tax increase. It was the consensus of the city council to move forward with accepting the offer from Southeastern in the amount of \$525,000.00. An ordinance declaring the property as surplus and a resolution authorizing the sale to Southeastern will be prepared for the August 21, 2023 city council meeting. Council President Mercer asked City Manager DiFante, Director of Economic Development Michael Simon and City Attorney Josh Arnold to prepare the sales agreement/contract and documents to sell Old Fire Station No. 3 to Southeastern Construction Partners, LLC. The city council expressed their desire for the city to work with other companies interested in moving to Pelham.

2. Discussion - Proposed Arts & Entertainment District

Economic Development Director Michael Simon discussed moving the ordinance to the city council agenda for review and approval. He mentioned outstanding issues including the name and footprint of the entertainment district. He asked for direction from the city council. Discussion followed about including Creekside BBQ and adjacent properties. The city council discussed a proposed name for the entertainment district. It was the consensus of the city council to move forward with naming the district, the Pelham Arts & Entertainment District.

New Business

1. Update – Warrant Series 2021-A Expenditures

Council President Mercer announced this item has been removed from the August 7, 2023 work session agenda and will be rescheduled for a later date.

2. Discussion – Proceeds from sale of 2013 Porsche Panamera

Finance Director Jamie Wagner discussed the recent auction of the 2013 Porsche Panamera and the Police Department's request to use the proceeds to partially fund the purchase of a patrol vehicle. She noted this would require an FY2023 amendment to the Police Department's budget. Chief Brent Sugg stated his request is to purchase three new vehicles using funds from the sale of the 2013 Porsche Panamera and other monies from the FY2023 Police budget.

3. Discussion – Project Manager-Grants (Finance Department)

City Manager DiFante discussed a new position of Project Manager-Grants, if approved by the city council, would be funded in FY2024. She noted the city's success with the Federal Railroad Administration (FRA) and Federal Emergency Management Agency (FEMA) grants in the recent past. She stated grant management is solely focused on revenues. City Manager DiFante said she recently spent time in Montgomery and stated there is a lot of grant funding left on the table at Alabama Department Economic and Community Affairs (ADECA). This position would work with department heads in identifying grant opportunities, and assist in grant accounting functions, and audits. She further stated the best place for this position would be in the Finance Department. Finance Director Jamie Wagner spoke to the ongoing grants, management of those grants and future grants. Several members of the city council spoke in favor of the position. Councilmember Lanier-Reed expressed her reservations about this position being fulltime. City Manager DiFante spoke to how past grants were applied for and awarded. Qualifications for this position were discussed. Council President Mercer asked for additional information regarding the job description, pay scale and certifications required.

4. Discussion – Proposed Membership Rates for Pelham City School Employees at the Pelham Recreation Center

Parks & Recreation Director Brian Cooper discussed a proposal to offer memberships to the Pelham Recreation Center to employees of Pelham City Schools. He stated the school employees would be treated as a citizen of Pelham. He further stated the school board would pay the membership dues on an annual basis.

Review of August 7, 2023 City Council Agenda

Council President Mercer reviewed the August 7, 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 August 7, 2023 City Council Agenda
2. Approval of the July 24, 2023 Regular Council Meeting Minutes
3. **Resolution 2023-08-07-01** for consideration to amend the Police Department's FY2023 budget to apply proceeds from the sale of assets to partially fund a new fleet vehicle purchase.

There were no questions or comments from the city council.

4. **Resolution 2023-08-07-02** for consideration to declare as surplus certain personal property of the City of Pelham (Water & Sewer) which are no longer needed for public or municipal purposes.

Director of Development Services & Public Works Andre` Bittas stated there are three vehicles which were damaged in the October 6, 2021 flood. He said the trucks will be auctioned.

5. **Resolution 2023-08-07-03** for consideration to approve a final summary change order for the AMR Radio Read Water Meter Replacement Project. This project was budgeted in FY2023.

Director of Development Services & Public Works Andre` Bittas stated the project has been completed and Resolution 2023-08-07-03 will close out the project. He stated the \$3 million project replaced 11,400 water meters.

6. **Resolution 2023-08-07-04** for consideration to approve a quote to furnish two (2) emergency call stations along the Pelham City Park portion of the Pelham trail system. This project was budgeted in FY2023.

Director of Development Services & Public Works Andre` Bittas stated the city received a grant in the amount of \$4,000.00 to assist with the installation of the emergency call stations along the Pelham Greenways Trail.

E. Public Hearing(s)

1. To consider **Ordinance No. 067-13** amending Chapter 4, Article I, Section 4.2, Building Permit Fees, City of Pelham Code of Ordinances.

Director of Development Services & Public Works Andre` Bittas stated the ordinance corrects a typographical error and adds three new building permit fees. Mr. Bittas explained the new fees. He said he would give an overview of the proposed ordinance during tonight's public hearing.

2. To consider **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.

Mayor Waters stated he would give the overview and speak in favor of Ordinance No. 324-06. City Manager DiFante said she would speak to the projects under consideration which would be funded by the increase in sales and use taxes.

F. Mayor's Comments

G. Proclamation(s) by the Mayor and Others – None

H. Report of the City Manager

I. Report of the City Attorney – None

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

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

(End of August 7, 2023 Agenda Review)

Project Update

Director of Development Services & Public Works Andre` Bittas provided an update on the Highway 31/Pelham Parkway Relighting Project. Mr. Bittas said the estimated cost of the project has increased in the past two years from \$6.2 million to \$10 million and suggested the project be broken into two or three phases. He stated the city council would see movement with the project in FY2024.

Adjournment

A motion to adjourn the work session was made by Councilmember Coram and seconded by Councilmember Lanier-Reed. The motion passed unanimously by voice vote of those members present and the work session was adjourned at 6:01 p.m.

Respectfully submitted this 7th day of August 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

