



CITY COUNCIL MEETING MINUTES

Pelham City Hall
Council Chambers
August 7, 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: August 7, 2023
Time: 7:00 p.m.
Place: Pelham City Hall – Council Chambers
Present: Council President Maurice Mercer
Councilmember David Coram
Councilmember Chad Leverett
Councilmember Mildred Lanier-Reed
Mayor Gary Waters

Not Present: Councilmember Rick Wash

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Mercer called the meeting to order at 7:10 p.m. Councilmember Lanier-Reed 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 Attorney Josh Arnold was present.

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 August 7, 2023 City Council Agenda
2. Approval of the July 24, 2023 Regular City 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 fund a new fleet vehicle purchase.
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.
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.
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.

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

Councilmember Leverett 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>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>

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 Lanier-Reed moved to recess the city council meeting to hold public hearings 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 7:12 p.m.

Council President Mercer explained the purpose of the first public hearing is to consider amending Chapter 4, Article I, Section 4.2, Building Permit Fees, City of Pelham Code of Ordinances.

Council President Mercer announced the public hearing was in session to consider proposed **Ordinance No. 067-13** amending the Code of Ordinances of the City of Pelham as related to Building Permit Fees. He further stated the city council would hear comments both for and against the consideration to amend the Code of Ordinances of the City of Pelham.

Director of Development Services & Public Works Andre` Bittas gave an overview of proposed Ordinance No. 067-13.

Speaking in favor of adopting Ordinance No. 067-13:

- Director of Development Services & Public Works Andre` Bittas spoke in favor of adopting Ordinance No. 067-13. He noted the specific changes in the Building Permit Fee schedule.

Speaking against adopting Ordinance No. 067-13:

- No member of the public spoke against Ordinance No. 067-13.

Council President Mercer noted the public hearing to consider Ordinance No. 067-13 has now concluded.

Council President Mercer explained the purpose of the second public hearing is to consider **Ordinance No. 324-06** amending Chapter 5, Article II, Sections 5-30, 5-32, 5-33, and 5-33.1, Code of Ordinances of the City of Pelham, increasing the amount of the privilege license or excise tax levied 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.

Council President Mercer announced the public hearing was in session regarding amending the Code of Ordinance of the City of Pelham as noted in proposed Ordinance No. 324-06. He further stated the city council would hear comments both for and against the consideration to amend the Code of Ordinance of the City of Pelham.

- Mayor Waters gave an overview and spoke in favor of adopting Ordinance No. 324-06. He spoke to the numerous projects which would be funded by an increase in the city's sales and use tax. Finance Director Jamie Wagner provided additional information regarding the proposed sales and use tax increase. She explained property taxes and sales tax collections in the City of Pelham.

Speaking in favor of adopting Ordinance No. 324-06:

- No member of the public spoke in favor of Ordinance No. 324-06.

Speaking against amending the Ordinance No. 324-06:

- Tom Robinson, 572 Cahaba Manor Drive, Pelham, Alabama 35124, spoke against adopting Ordinance No. 324-06.

Council President Mercer noted the public hearing to consider Ordinance No. 324-06 has now concluded.

Council President Mercer called the August 7, 2023 City Council Meeting back to order at 7:30 p.m.

MAYOR'S REPORT/COMMENTS – None

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

REPORT OF THE CITY MANAGER

City Manager Gretchen DiFante made the following comments:

- Ballantrae Golf Club has five people on the membership waiting list.
- A soft opening for the splash pad will be on Wednesday with a ribbon cutting on Saturday, August 12, 2023 at 10:00 a.m.
- Last Monday the city went live with ERP permits and licensing and started accepting them electronically, including e-payments. She thanked everyone for their patience as the city worked through the details. She asked the public to let us know about your experience with our new processes.
- We are working with Alabaster, Calera and potentially Helena on a Request for Proposals (RFP) for emergency ambulance transport services.
- Read an announcement from 3CMA regarding the Pelham Pathways magazine:

Congratulations! It is our pleasure to report that you and your community are a Finalist in the 2023 Savvy Awards competition and a candidate for one of the three awards (Savvy, Silver Circle or Award of Excellence) in the category Publications.

Each year the number of entries in 3CMA's Savvy Awards competition increases in quality, array and scope of programs submitted. The program reflects the growing skills of communication and marketing professionals, as more local governments and agencies embrace and employ the concepts of enhanced marketing and communication with residents.

3CMA's policy is that Savvy Competition finalists are not notified of the exact award won prior to the Awards Ceremony which will be held, Thursday - September 7, 2023 during 3CMA's Annual Conference in Orlando, Florida. All awards will be announced and honored; however, only the Savvy Winners will be called forward to accept their awards and have their photo taken.

REPORT OF THE CITY ATTORNEY – None

REQUEST(S) TO ADDRESS THE COUNCIL – None

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

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Ordinance No. 067-13** amending Chapter 4, Article I, Section 4.2, Building Permit Fees, Code of Ordinances of the City of Pelham, was introduced and read by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 067-13 is available at Pelham City Hall and online at www.pelhamalabama.gov.

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

- 2. **Ordinance No. 324-06** amending Chapter 5, Article II, Sections 5-30, 5-32, 5-33, and 5-33.1, Code of Ordinances of the City of Pelham, increasing the amount of the privilege license or excise tax levied 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 was introduced and read by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 324-06 is available at Pelham City Hall and online at www.pelhamalabama.gov.

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.

- Wade Lowery, Engineering Design Group, 120 Bishop Circle, Pelham, Alabama 35124, spoke to a proposed rezoning on Midridge Drive. The public hearing on the proposed rezoning will be held at 7:00 p.m. on Monday, August 21, 2023.
- Alicia Sherman, 212 Warwick Lane, Alabaster, Alabama 35007, spoke about the Liberty Learning Foundation. She is requesting \$2,500.00 to fund a portion of the program for second graders in the Pelham Public Schools.

CITY COUNCIL COMMENTS

Councilmember Coram thanked everyone for their thoughts and prayers during his recent illness. He thanked those who attended tonight's council meeting to hear comments regarding the proposed sales and use tax increase. Councilmember Coram stated he has not made up his mind on the sales and use tax increase. He thanked the city staff for their assistance in resolving an issue by a local business.

Councilmember Leverett stated Councilmember Wash was out of town and could not attend tonight's meeting. He thanked Mayor Waters, City Manager DiFante, and staff for their assistance in providing information regarding the proposed tax increase. He said the city council is currently reviewing the FY2024 budget and are working to make the best decisions for the city. He thanked Parks & Recreation Director Brian Cooper and his staff for their assistance in completing the splash pad.

Councilmember Lanier-Reed thanked everyone for attending tonight concerning the tax increase. She said the city council will be diligent in their decisions after hearing from our residents. She stated we want to make the best decision for our city. Councilmember Lanier-Reed asked everyone to pray for our students, the faculty, and staff for a successful school year. She thanked the city for supporting our local homeowners' associations (HOA).

Council President Mercer thanked everyone for coming out and listening to the discussion regarding the city's proposed sales and use tax increase. He stated there will be additional discussion in the coming days, including possible budget cuts. He noted his attendance, along with Councilmember Lanier-Reed, at the Pelham City School's employee institute meeting this morning.

PUBLIC ANNOUNCEMENTS

- 1. The Pelham City Council will begin holding special work sessions to discuss the FY2024 operating and capital budgets in the Council Chambers at Pelham City Hall on the following date and time.
 - o Tuesday, August 8, 2023: 4:00 p.m. until 8:00 p.m.
 - o Wednesday, August 9, 2023: 4:00 p.m. until 8:00 p.m.
 - o Thursday, August 10, 2023: 4:00 p.m. until 7:00 p.m.

2. The Pelham City Council will hold a public hearing on Monday, August 21, 2023 at 7:00 p.m. in the Council Chambers at Pelham City Hall 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.
3. The ribbon cutting for the Splash Pad at Pelham City Park is Saturday, August 12, 2023 at 10:00 a.m.

ADJOURNMENT

With no other business before the council, Councilmember Coram moved to adjourn the council meeting and Councilmember Lanier-Reed seconded the motion. By voice vote the motion passed unanimously by those members present and the meeting was adjourned at 7:55 p.m.

Respectfully submitted this 7th day of August 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

