

THE CITY OF
PELHAM, ALABAMA

COUNCIL MEETING
Pelham Senior Center
July 19, 2021 – 7:00 p.m.

MINUTES

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 19, 2021
Time: 7:00 p.m.
Place: Pelham Senior Center
Present: Council President Maurice Mercer
Councilmember Larry Palmer
Councilmember Rick Wash
Councilmember Mildred Lanier

Not Present: Mayor Gary Waters
Councilmember David Coram

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Mercer called the meeting to order at 7:00 p.m. Councilmember Lanier led tonight's invocation. The Pledge of Allegiance was led by Councilmember Palmer.

RECORD OF ATTENDANCE

The city clerk/treasurer recorded all elected officials, with the exception of Mayor Waters and Councilmember Coram, were in attendance and a quorum was present. City Manager Gretchen DiFante and City Attorney Josh Arnold were also in attendance.

CONSENT AGENDA

A consent agenda is presented by the Council President at the beginning of a council meeting. Items on the consent agenda are considered routine and non-controversial, are organized apart from the rest of the agenda and are adopted by general consent 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 Council President and City Council.

1. Approval of the July 19, 2021 City Council Agenda
2. Approval of the July 6, 2021 Regular City Council Meeting Minutes
3. Approval of non-budgeted expenses from restricted fund account(s): None

Hearing no objections, Council President Mercer declared the consent agenda approved as submitted.

PUBLIC HEARING(S)

Councilmember Wash moved to recess the city council meeting in order to hold a public hearing for which proper notice had been given. The motion was seconded by Councilmember Lanier and approved unanimously by voice vote of those members present. The council meeting recessed at 7:02 p.m.

1. To consider a proposed vacation of a portion of the public right of way (ROW) located along Amphitheater Road, Pelham, Alabama, 35124

Council President Mercer announced the public hearing was in session regarding the rezoning request as noted in Ordinance No. 508. He further stated the city council would now hear comments both for and against the consideration to amend the zone district boundaries of the City of Pelham.

Speaking in favor of the Vacation:

- Director of Development Services & Public Works Andre` Bittas explained the vacation is a part of The Canopy Development Agreement and will not adversely impact the future infrastructure needs of the city.

Speaking against the Vacation:

- None

Council President Mercer called the July 19, 2021 City Council Meeting back to order at 7:04 p.m.

MAYOR’S REPORT – None

PROCLAMATION(S) BY THE MAYOR – None

REPORT OF THE CITY MANAGER

City Manager DiFante made the following report to the city council:

- The Shelby County Commission approved funding all the upgrades to the P25 radio system at a cost of approximately \$8 million, saving Pelham about \$2 million in potential expenses.
- The Cahaba Solid Waste Disposal Authority met today and approved AmWaste as the vendor. The garbage contract between Pelham and AmWaste will be negotiated over the next several months and will be brought to the city council for review and approval.

REPORT OF THE CITY ATTORNEY – None

REQUEST(S) TO ADDRESS THE COUNCIL – None

OLD BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Ordinance No. 135-240** repealing Ordinance No. 135-200 for noncompliance with applicable requirements of Article XX, Section 7 of the Pelham Zoning Ordinance for properties located along Huntley Parkway was reintroduced by Council President Mercer. First Reading was on July 6, 2021.

Councilmember Wash moved to adopt Ordinance No. 135-240 and Councilmember Palmer seconded the motion.

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

Maurice Mercer, Council President	<u>Yes</u>
David Coram, Council Member	<u>Not Present</u>
Larry Palmer, 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 Ordinance No. 135-240 passed unanimously by a roll call vote of those members present and the council president declared the same passed and adopted.

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Resolution 2021-07-19-01** for consideration to renew the Line of Credit for the City of Pelham Commercial Development Authority was introduced by Council President Mercer.

Councilmember Wash moved to adopt Resolution 2021-07-19-01 and Councilmember Lanier seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-07-19-01 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

2. **Resolution 2021-07-19-02** for consideration to approve an agreement to participate in the Intra-County Program for Mutual Aid and Assistance for utility systems was introduced by Council President Mercer.

Councilmember Palmer moved to adopt Resolution 2021-07-19-02 and Councilmember Wash seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-07-19-02 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

3. **Resolution 2021-07-19-03** for consideration to approve a request by Dish Wireless for a special use permit to install equipment on an existing facility located at 1391 McCain Parkway was introduced by Council President Mercer.

Councilmember Palmer moved to adopt Resolution 2021-07-19-03 and Councilmember Wash seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-07-19-03 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

4. **Resolution 2021-07-19-04** for consideration to authorize the drafting of an internal policy and procedures for the purpose of reimbursement by the City of Pelham to another law enforcement agency for training expenses by the city for new hires in an amount not to exceed \$10,000.00 pursuant to Section 36-21-7, Code of Alabama (1975), as amended was introduced by Council President Mercer.

Councilmember Wash moved to adopt Resolution 2021-07-19-04 and Councilmember Palmer seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-07-19-04 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

5. **Resolution 2021-07-19-05** for consideration to approve ABC applications (No Alcohol Outside of Licensed Area and No to Go Sales) for applicant Margarita Grill, LLC located at 234 Cahaba Valley Road, Pelham, Alabama 35124 operating under various trade names for events to be held in 2021 was introduced by Council President Mercer.

Councilmember Palmer moved to adopt Resolution 2021-07-19-05 and Councilmember Wash seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-07-19-05 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

6. **Resolution 2021-07-19-06** for consideration to approve admitting two new voting members to the Cahaba Solid Waste Disposal Authority Board of Directors was introduced by Council President Mercer.

Councilmember Wash moved to adopt Resolution 2021-07-19-06 and Councilmember Lanier seconded the motion.

There being no further discussion, the motion to adopt Resolution 2021-07-19-06 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

7. **Ordinance No. 508** for consideration to vacate a portion of the public right-of-way (ROW) located along Amphitheater Road and more particularly described in the legal description of said ROW was introduced by Council President Mercer as a First Reading.

Ordinance No. 508 was introduced and read in its entirety by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 508 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 address prior to making their comments in a respectful manner.

Eric Chambers, 204 Stonebrook Lane, Pelham, Alabama 35124, introduced himself and stated he is a candidate for the Community Relations Coordinator position with the City of Pelham.

State Representative Kenneth Paschal, 216 Huntley Apartment Drive, Pelham, Alabama 35124, thanked the voters of Pelham for their support and electing him last week to the Alabama House of Representatives and stated he will be working hard for this community.

COUNCIL COMMENTS

Councilmember Palmer congratulated State Representative Paschal on his recent election. He said he would be providing information in the coming weeks to the city council regarding the distribution/selling of medical marijuana in Pelham.

Councilmember Wash congratulated State Representative Paschal on his recent election. He noted the recent passing of Mary Shaw, wife of Mike Shaw, the longtime pastor of the First Baptist Church of Pelham. He said she will be missed. He offered thoughts and prayers to Mayor Waters on the recent death of his father, Herb Waters.

Councilmember Lanier congratulated State Representative Paschal on his recent election. She said his swearing in was a beautiful event. She offered thoughts and prayers to Mayor Waters on the recent death of his father, Herb Waters, and Mike Shaw on the recent death of his wife, Mary Shaw.

Council President Mercer noted the absence of Councilmember Coram who he stated is on a mission trip. He offered thoughts and prayers to Mayor Waters and Pastor Mike Shaw. He congratulated State Representative Paschal on his recent election. He mentioned having met and taken a tour with Councilmember Coram, city staff and county officials of the county roads within the city.

PUBLIC ANNOUNCEMENTS

1. A public hearing will be held on Monday, August 16, 2021 at 7:00 p.m. at the Pelham Senior Center to consider a request by Grants Mill, LLC to rezone 4.64 acres of vacant property located along Huntley Parkway, Pelham, Alabama 35124

ADJOURNMENT

With no other business before the council, Councilmember Wash moved to adjourn the council meeting and Councilmember Lanier seconded the motion. By voice vote, the motion passed unanimously by those members present and the meeting was adjourned at 7:35 p.m.

Respectfully submitted this 19th day of July 2021,



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

