



WORK SESSION
Pelham Senior Center
July 6, 2021 – 5:00 p.m.

MINUTES

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 Tuesday, July 6, 2021 at 5:00 p.m. The regular work session was held in the Pelham Senior Center and was open to the public.

Call to Order

The work session was called to order by Council President Mercer at 5:01 p.m.

Record of Attendance

The following elected officials were present:

Council President Maurice Mercer
Councilmember David Coram
Councilmember Larry Palmer
Councilmember Rick Wash
Councilmember Mildred Lanier
Mayor Gary Waters

The city clerk/treasurer recorded all members of the city council were in attendance and a quorum was present. Mayor Waters, City Manager Gretchen DiFante and City Attorney Bent Owens were also in attendance.

Media Present: None

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

Approval of Minutes

A motion was made by Councilmember Coram to approve the June 21, 2021 Regular Council Work Session Minutes. The motion was seconded by Councilmember Wash and passed by unanimous voice vote of those members present.

Executive Session

Council President Mercer stated for the record the purpose of the Executive Session was to discuss the legal ramifications of and legal options for pending litigation and 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. City Attorney Bent Owens stated the purpose of tonight's Executive Session are appropriate under Section 36-25A-7(a)(3)(a)(b) and Section 36-25A-7(6) Code of Alabama 1975, as amended.

A motion was made by Councilmember Wash to enter into an Executive Session of the city council for the stated purposes. Said motion was seconded by Councilmember Coram. 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, Council Member	<u>Yes</u>
Larry Palmer, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Yes</u>
Mildred Lanier, Council Member	<u>Yes</u>

Council President Mercer asked the members of the city council, Mayor Gary Waters, City Manager Gretchen DiFante, City Attorney Bent Owens, Judge Mike Joiner, Director of Development Services & Public Works Andre` Bittas 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 30 minutes. The city council went into Executive Session at 5:02 p.m.

Councilmember Coram moved to adjourn the Executive Session. Said motion was seconded by Councilmember Lanier. The motion passed unanimously by voice vote of those members present, and the Executive Session was adjourned at 6:26 p.m.

Council President Mercer called the work session back to order at 6:29 p.m.

Old Business

1. Update – Pelham City Hall Renovations

City Manager DiFante, Director of Development Services & Public Works Andre` Bittas and Chris Cousins, Municipal Consultants, Inc., discussed and updated the city council regarding the renovations of City Hall and the expected cost increases. Mr. Bittas noted the increase in delivery time of materials and construction items was due to supply chain delays and design modifications. He stated the expected move-in date is August 2022. Mr. Bittas stated no council action is required at this time.

2. Update – PVC/Water Main Replacement Project

Director of Development Services & Public Works Andre` Bittas and Chris Cousins, Municipal Consultants, Inc., discussed and updated the city council regarding the PVC/Water Main Replacement Project. Mr. Bittas noted it would have taken approximately 23 years to replace the 19 miles of PVC pipe if the city council had not provided an additional \$5 million from the Warrant Series 2021-A bond issue. He said the additional funding would cut the timeline for replacement of the PVC water mains from 23 years to five years. Mr. Cousins reviewed the history and background of the water system and the plan to replace the Class 160 PVC pipe.

New Business

1. Discussion – Renewal of Pelham Commercial Development Authority Line of Credit

Council President Mercer asked Ron Scott, Chairman of the Commercial Development Authority (CDA), to speak to the renewal of their line of credit. Mr. Scott stated the balance on the line of credit at this time is \$75,000.00. He said their focus is to complete the Welborn property project. He mentioned potential property acquisitions within the city in the coming months. Mr. Scott stated it is the CDA's desire to have the city council renew the \$1 million line of credit.

Review of July 6, 2021 Council Agenda

Council President Mercer reviewed the July 6, 2021 city council agenda.

F. Public Hearing – None

G. Mayor's Comments

H. Proclamation(s) by the Mayor – None

I. Report of the City Manager

J. Report of the City Attorney

K. Request(s) to Address the Council – None

L. Old Business

1. **Resolution 2021-05-17-02** for consideration to authorize an amendment to the Development Agreement between the City of Pelham and HCI Oak Mountain, LLC and to consider authorizing an amendment to the Special Economic Incentive Agreement between the City of Pelham and HCI Oak Mountain, LLC. Resolution 2021-05-17-02 was removed from the May 17, 2021 agenda.

City Manager DiFante explained the reasons behind HCI Oak Mountain, LLC request for amendments to the Development Agreement and Special Economic Incentive Agreement. John Benner, HCI Oak Mountain, LLC, noted the increase of approximately 25% in the construction costs of the project. He thanked the city council and requested their assistance in moving the project forward. Mr. Benner said the projected date to begin the site work is September 5, 2021. Councilmember Lanier asked several questions and sought clarification regarding the requested amendments to both Agreements. Mayor Waters, City Manager DiFante, Mr. Bittas and Mr. Benner addressed the questions and concerns of Councilmember Lanier. Councilmember Wash asked about the trails project and the incentive increase in the project. Mr. Benner explained the trails project would be located in the city's right of way and the additional incentive was related to the increase in construction costs. Council President Mercer explained the need to move forward tonight with approval of Resolution 2021-05-17-02. Councilmember Palmer stated his concerns about the additional \$1 million incentive increase. Councilmember Coram stated his support in removing Resolution 2021-05-17-02 from the agenda. Mayor Waters asked the city council what additional information could be brought to them to move the project forward and approve the resolution tonight. Councilmember Coram suggested an additional \$750,000 in the incentive amount referenced in Resolution 2021-05-17-02. The city council concurred.

2. **Ordinance No. 135-235** an amendment to the zone district boundaries of the City of Pelham changing the present zoning B-2 (General Business District) to M-1 (Light Industrial District) for property located at Shelby County Highways 52 and 11, Pelham, AL 35124. The First Reading of Ordinance No. 135-235 was on June 21, 2021.

Applicant(s): Mike Sasser, 3051 Morgan Road, Bessemer, Alabama 35022 and Dr. David T. Fuller, III, 750 West Ashby Road, Brierfield, AL 35035 of Hope Animal Clinic

Name of Legal Owner(s): Dr. David T. Fuller, III / Elpis Holdings, LLC, 750 West Ashby Road, Brierfield, AL 35035.

There were no comments or questions from the city council.

3. **Ordinance No. 135-237** an amendment to the zone district boundaries of the City of Pelham changing the present zoning B-4 (Miniwarehouse District) to B-2 (General Business District) for property located at 116 Hilltop Business Center Dr., Pelham, AL 35124. The First Reading of Ordinance No. 135-237 was on June 21, 2021

Applicant: Robert B. Melton, 212 Red Bay Drive, Alabaster, Alabama 35007

Name of Legal Owner(s): Robert B. Melton and Carol Ann Melton, 212 Red Bay Drive, Alabaster, Alabama 35007 and Jonathan W. Melton, 4158 Gardenia Lane, Moody, Alabama 35004.

There were no comments or questions from the city council.

4. **Ordinance No. 135-238** an amendment to the zone district boundaries of the City of Pelham changing the present zoning R-1 (Single Family Residential District) to R-G (Garden Home Residential District) for property located at 121 and 131 Pickle Drive, Chelsea, Alabama 35043. First Reading was on June 21, 2021.

Applicant: Madison Earl Development, 1960 County Road 33, Suite C, Pelham, Alabama 35124

Name of Legal Owner(s): Madison Earl Development, 1960 County Road 33, Suite C, Pelham, Alabama 35124

Councilmember Palmer asked questions regarding the proposed development with regard to the sewer system and the unpaved road. Developer Steve McMinn said the project would have a private sewer system and the road would be paved within the development. Mr. McMinn said they would be working with the Shelby County Highway Department regarding the need for turn lanes on County Road 36.

There were no additional comments or questions from the city council.

M. New 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. First Reading

Building Official Angie Brown stated Ordinance No. 135-240 would correct a noncompliance issue where the original developer of the Planned Unit Development (PUD) property did not request the rezoning. City Manager DiFante stated City Attorney Bill Justice recommended repealing the Ordinance in its entirety. Mr. Brown stated the property would revert to PR-1. City Attorney Bent Owens explained the reason behind the city council adopting Ordinance No. 135-240 and repealing Ordinance No. 135-200 was to allow the property to be properly rezoned.

There were no additional comments or questions from the city council.

(End of July 6, 2021 Agenda Review)

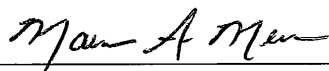
Adjournment

A motion to adjourn the work session was made by Councilmember Coram and seconded by Councilmember Wash. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 8:14 p.m.

Respectfully submitted this 6th day of July 2021.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

