

THE CITY OF
PELHAM, ALABAMA

WORK SESSION
Pelham Senior Center
August 16, 2021 – 4:00 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 Monday, August 16, 2021 at 4:00 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 4:04 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 elected officials were in attendance and a quorum was present. City Manager Gretchen DiFante, City Attorneys Josh Arnold and 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 August 2, 2021 Regular Council Work Session Minutes and the August 4, 2021, August 5, 2021, August 6, 2021 and the August 9, 2021 Special Work Session Minutes. The motion was seconded by Councilmember Lanier and passed by unanimous voice vote of those members present.

Councilmember Palmer noted his name was omitted from the minutes of those councilmembers attending the special work sessions. Councilmember Coram moved to amended the August 4, 2021, August 5, 2021, August 6, 2021 and the August 9, 2021 Special Work Session Minutes to include the attendance of Councilmember Palmer. Councilmember Lanier seconded the motion.

There being no further discussion the motion passed unanimously by 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.

City Attorney Bent Owens stated the purpose of tonight's Executive Session are appropriate under Section 36-25-A-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 purpose. Said motion was seconded by Councilmember Wash. 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 Waters, City Manager Gretchen DiFante, City Attorneys Bent Owens and Josh Arnold, Director of Development Services & Public Works André 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 one hour. The city council went into Executive Session at 4:07 p.m.

Councilmember Coram moved to adjourn the Executive Session. Said motion was seconded by Councilmember Palmer. The motion passed unanimously by voice vote of those members present, and the Executive Session was adjourned at 5:24 p.m.

Council President Mercer called the work session back to order at 5:26 p.m.

Old Business – None

New Business

1. Presentation – FY2020 Financial Audit/Statements by Zach Clifton, BMSS, LLC, Certified Public Accountants

Zach Clifton was unable to attend tonight's work session due to a family illness. The FY2020 Financial Audit/Statement presentation will be rescheduled to another date.

2. Discussion – Management agreement with VenuWorks of Pelham, LLC to provide (a) management, operations and marketing services for the Pelham Civic Complex and Ice Arena and (b) food and beverage services to the Pelham Racquet Club and Pelham Parks & Recreation Facilities

City Manager Gretchen DiFante noted the city council has been provided an updated draft of the management agreement, which has been reviewed by the city's insurance carrier. She stated April Danielson, City Attorney for the City of Hoover, Pelham Civic Complex & Ice Arena Interim Administrator Steve St. John, City Attorney Josh Arnold and herself drafted the agreement. Ms. Danielson explained the process in developing the draft agreement. She further explained the agreement with VenuWorks addresses various services at the Pelham Civic Complex & Ice Arena (Complex), the Pelham Racquet Club and the Pelham Parks & Recreation facilities. Ms. Danielson explained the terms of the agreement and the employment of the city's current employees. City Manager DiFante explained the Civil Service Act and how it affects current employees at the Complex. She further explained how the process works with regard to future contracts with vendors. Mr. St. John stated both Ms. Danielson and City Manager DiFante did an excellent job in negotiating the contract with VenuWorks and having the best interests of the city in mind. Councilmember Lanier asked how many full time employees will be affected. Mr. St. John stated five employees are within two years of retirement. He said six employees will be offered positions with VenuWorks. City Manager DiFante said she believed four employees would transition to a new pay scale which would be close to their current rate of pay. She said the other employee would see an adjustment in their pay. She further stated all contracts, as in the past, would be reviewed by the city attorney. Mr. St. John said full time city employees would be allowed to work part time for VenuWorks. He stated the city will receive a monthly financial statement from VenuWorks for the operation of the various facilities.

City President Mercer asked the city council to provide additional questions to City Manager DiFante over the next few days.

3. Discussion – Major Arena Soccer League 2

Pelham Civic Complex & Ice Arena Interim Administrator Steve St. John stated over the past three months he has identified additional opportunities for the Complex. He stated representatives from the Major Arena Soccer League 2 have inquired if the Complex would be interested in hosting six home games. He stated having provided the city council with a draft contract between the team and city. Mr. St. John explained the Main Arena ice would be covered and would be down for approximately 24 hours. He said this would have a minimal effect with on ice activities. He said the contract is for one year with a five year renewal option. He stated the indoor soccer regular season is mid-December to April.

City President Mercer asked the city council to provide additional questions to City Manager DiFante over the next few days.

City Manager DiFante stated the final draft is currently under review by City Attorney Josh Arnold and will be provided to the city council upon completion.

4. Discussion – Job descriptions and pay scales within the Public Works and the IT Departments as previously reviewed and approved by the Pelham Personnel Board

Building Official Angie Brown, Police Chief Pat Cheatwood and Director of Development Services & Public Works André Bittas explained the need for an additional code enforcement officer which would be assigned to the Public Works Department. Chief Cheatwood stated the true need was for a zoning enforcement official. Mr. Bittas explained the position was previously approved in the police budget and would be transferred to Public Works. City Manager DiFante stated this would be a positive step for our city and residents.

IT Manager Dell Ann Holly stated the position was previously approved but there is need to update the job description. She said the change is from an IT Help Desk Support position to an IT Specialist position.

Councilmember Lanier and Council President Mercer spoke in support of the position and the job Mrs. Holly has done over the years for the city. Councilmember Palmer stated he would have additional questions.

5. Presentation – The B.E.A.T.

City Manager DiFante provided background for the need to establish the Beautification, Entertainment and Arts Team (B.E.A.T.). B.E.A.T. President Chad Leverett read a list of the Board of Directors. He further stated the B.E.A.T. is finalizing their 501(c) (3) Internal Revenue Service designation. Mr. Leverett provided the city council with information and plans for the B.E.A.T. over the next 12 months.

6. Discussion – Civil Service Act

City Attorney Josh Arnold said the original Civil Service Act (CSA) was passed in 1989. He said the document had a lot of forward looking provisions and was amended in 2001 and 2015. He stated since the original CSA was passed, state statutes have been adopted which addresses many of the provisions in the city's CSA. He said the CSA micromanages the employment practices of the city. He said the city would like to move forward in order to streamline the legislation. He suggested the passage of a new CSA and adoption of an employee handbook which would allow the city to handle many employment issues administratively. Mr. Arnold said we are at the beginning of the process which would require participation of all the stakeholders. He said it is his intention to have a first draft of the revised CSA for city council review within the next few weeks.

7. Discussion – Rescheduling the September 6, 2021 Work Session and Council meeting due to the observance of Labor Day

Council President Mercer noted the need to reschedule the September 6, 2021 Work Session and Council meeting due to the observance of Labor Day.

It was the consensus of the city council to move the September 6, 2021 Work Session and Council meeting to Wednesday, September 8, 2021 at 4:00 p.m. Council President Mercer asked the city clerk/treasurer to notify the public and media regarding the rescheduled meetings.

Review of August 16, 2021 Council Agenda

Council President Mercer reviewed the August 16, 2021 city council agenda.

F. Public Hearing(s)

1. To consider a request by Grants Mill, LLC to rezone 4.64 acres of vacant property located along Huntley Parkway, Pelham, Alabama 35124

G. Mayor's Comments

H. Proclamation(s) by the Mayor – None

I. Retirement Recognition

- a. Chief Pat Cheatwood, Pelham Police Department

- Officer Scott Duffey

J. Report of the City Manager

1. New Employee Introductions

a. Chief Mike Reid, Pelham Fire Department

- Firefighter James “EJ” Jackson
- Firefighter Jairius Mitcheam
- Firefighter Will Parker

b. D. Tyrell McGirt, Director of Pelham Parks & Recreation

- Kelsey Williams, Recreation Coordinator – Seniors
- Charlie Sanders, Recreation Coordinator – Athletics

c. Chief Pat Cheatwood, Pelham Police Department

- Officer Kevin Davis
- Officer Brent Ellis
- Officer Matthew Evans
- Officer Thomas Harold
- Officer Drew Pritchett
- Officer Richard Turner

K. Report of the City Attorney

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

M. Old Business – None

N. New Business / Resolutions / Ordinances / Orders and Other Business

1. **Resolution 2021-08-16-01** for consideration to approve the city branding recommendations as submitted by BIG Marketing and Communications, Inc.

There were no questions or comments from the city council.

2. **Resolution 2021-08-16-02** for consideration to adopt the City of Pelham Transportation Plan for Fiscal Year 2022

Director of Development Services & Public Works André Bittas stated the city is required to update the City of Pelham Transportation Plan on an annual basis.

3. **Resolution 2021-08-16-03** for consideration to accept the lowest responsible bid from A.T. Mechanical for replacement of HVAC equipment at the Pelham Police & Court Building and to repeal Resolution 2021-08-02-05 in its entirety

Director of Development Services & Public Works André Bittas stated in a previous council meeting the contract was awarded to A.T. Mechanical. He said this resolution corrects a mathematical error in the bid certification documentation and Resolution 2021-08-02-05.

4. **Ordinance No. 135-241** an amendment to the zone district boundaries of the City of Pelham changing the present zoning PUD PR-1 (Planned Unit Development) to PUD PR-2 (Planned Unit Development) for property located along Huntley Parkway, Pelham, AL 35124.

FIRST READING

Applicant: Grants Mill, LLC, 2106 Devereux Circle, Birmingham, Alabama 35243

Owner: Cole Investment Realty, LLC, c/o Eugene K. Cole, 1100 East Park Drive, Suite 400, Birmingham, Alabama 35235

There were no questions or comments from the city council.

5. **Ordinance No. 509** for consideration to vacate a utility easement located at the intersection of Shelby County Highway 11 and Grey Oaks Parkway. **FIRST READING**

There were no questions or comments from the city council.

O. Public Comments

P. City Council Comments

Q. Public Announcements

R. Adjournment

(End of August 16, 2021 Agenda Review)

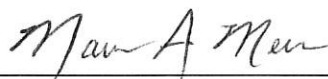
Adjournment

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 7:02 p.m.

Respectfully submitted this 16th day of August 2021.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

