

THE CITY OF PELHAM, ALABAMA

WORK SESSION

Pelham Senior Center

September 20, 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, September 20, 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 4:00 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 and City Attorney Josh Arnold were also in attendance.

Media Present: Michelle Love, Shelby County Reporter

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 September 8, 2021 Regular Council Work Session Minutes. The motion was seconded by Councilmember Wash.

There being no further discussion the motion passed unanimously by voice vote of those members present.

Executive Session

Council President Mercer and City Attorney Josh Arnold stated for the record the purpose of the Executive Session is to discuss the general reputation and character, physical condition, professional

competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees, per Section 36-25A-7(1) Code of Alabama 1975, as amended and 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.

City Attorney Josh Arnold stated the purposes of tonight's Executive Session is appropriate under Sections 36-25A-7(1) and 36-25A-7(6) 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 Lanier. 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 Attorney Josh Arnold, Director of Development Services & Public Works André Bittas, Director of Human Resources Tracy Hill 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 40 minutes. The city council went into Executive Session at 4:03 p.m.

Councilmember Coram moved to adjourn the Executive Session. Said motion was seconded by Councilmember Wash. The motion passed unanimously by voice vote of those members present, and the Executive Session was adjourned at 4:47 p.m.

Council President Mercer called the work session back to order at 4:49 p.m.

Old Business

1. Discussion – Beautification, Entertainment and Arts Team (B.E.A.T.) Funding

Chad Leverett, President of the B.E.A.T., returned at the request of the city council to review and provide additional information on the requested funding. He offered several suggestions on fundraising projects under consideration by the B.E.A.T.

Councilmember Wash and Councilmember Coram spoke in favor of a donation of \$15,000.00. Councilmember Palmer spoke to his concern in the amount of the request. Councilmember Lanier spoke in support of the B.E.A.T. She stated being in favor of a \$10,000.00 donation. Councilmember Palmer said he would support a donation of \$10,000.00. It was the consensus of the city council to provide initial funding in the amount of \$12,500.00 for the B.E.A.T. in FY2021. The recommended funding amount would be included in Resolution 2021-09-20-09 under consideration during tonight's city council meeting.

Councilmember Coram moved for the city council to consider a donation of \$12,500.00 to the B.E.A.T. Said motion was seconded by Councilmember Lanier.

There being no further discussion the motion to add \$12,500.00 to Resolution 2021-09-20-09 as a donation to the B.E.A.T. was approved by a unanimous voice vote of those members of the city council present.

New Business

1. Update – Jim Sumpter, Pelham City Schools Foundation

Jim Sumpter, Pelham City Schools Foundation, updated the city council on their projects and activities.

2. Discussion – Work Session Scheduling

City Manager Gretchen DiFante spoke to having a council work session prior to the council meeting on a different day. Mayor Waters noted having attended several Alabaster work sessions in the past. He said their meeting was informal and worked well. He asked the city council to give it a try. The city council discussed several options to consider with regard to work sessions. It was the consensus of the city council to begin the October 28, 2021 (Thursday) work session at 4:00 p.m. and the November 1, 2021 council meeting at 6:00 p.m. Council President Mercer asked the city clerk/treasurer to make the necessary notifications.

Review of September 20, 2021 Council Agenda

Council President Mercer reviewed the September 20, 2021 city council agenda.

E. Consent Agenda

911 Account

- a. \$3,200.00 for two (2) Herman Miller Aeron chairs and one (1) Safco Lineage Big & Tall all mesh chair for the Pelham Communications Center
- b. \$1,200.00 for Quality Assurance Evaluations for the Pelham Communications Center

F. Public Hearing(s)

To consider amending the Zoning Ordinance of the City of Pelham, more specifically, Article XVI – B-3 Warehouse Business District, Section 2 - Permitted Uses by adding "Any use permitted in the B-2 zoning [district] not to include permitted uses in the B-1 neighborhood business district, however, the requirements set forth in B-2 general business district, Article XV, shall apply to this permitted use" and further renumbering the remaining items in Section 2.

Director of Development Services & Public Works Andre` Bittas explained this is a cleanup allowing B-2 businesses in B-3 zones.

G. Mayor's Comments

H. Proclamation(s) by the Mayor and Others

1. Proclaiming September 17-23, 2021 as Constitution Week in Pelham, Alabama

2. Proclaiming September 30, 2021 as Neonatal Intensive Care Unit (NICU) Awareness Day in Pelham, Alabama
 3. Proclaiming September 2021 as Childhood Cancer Awareness Month in Pelham, Alabama
 4. Proclaiming September 27, 2021 as Family Day and the week of September 26th through October 2, 2021 as Family Week in the City of Pelham
- I. Report of the City Manager
 - J. Report of the City Attorney
 - K. Request(s) to Address the Council – None
 - L. Old Business / Resolutions / Ordinances / Orders and Other Business
 1. **Resolution 2021-09-08-01** for consideration to approve a job description and pay scale within the Public Works Department previously reviewed and approved by the Pelham Personnel Board

Councilmember Palmer stated having concerns about the job description and qualifications regarding this position. He mentioned additional concerns were projected revenues and zoning violations being addressed by the Building Department. City Manager DiFante said Police Chief Cheatwood had stated the city's code enforcement officer was being pulled into zoning violation issues. She stated complaints being received from the public are primarily zoning related. Councilmember Wash asked for clarification. City Manager DiFante stated by state law a police officer cannot write a zoning violation, this is an enforcement action of the Building Department. There were additional questions from the city council regarding this position.

2. **Resolution 2021-09-20-01** for consideration to approve a job description and pay scale within the Information Technology (IT) Department previously reviewed and approved by the Pelham Personnel Board

There were no comments or questions from the city council.

- M. New Business / Resolutions / Ordinances / Orders and Other Business

1. **Resolution 2021-09-20-02** for consideration to accept the City of Pelham's Fiscal Year 2020 audit as prepared by the city's independent auditors

There were no comments or questions from the city council.

2. **Resolution 2021-09-20-03** for consideration to adopt the City of Pelham's Fiscal Year 2022 Budgets

Councilmember Palmer noted his concerns with employee insurance benefits costs. He suggested a cost of living adjustment of 5.00% and tightening up in other areas within the FY2022 budget. City Manager DiFante stated the Employees Benefits Group understood the necessary increase for single coverage employees and had recommended the change. Councilmember Coram, Councilmember Wash and Council

President Mercer spoke to their commitment to revisit an employee cost of living adjustment at a later date, which would be based on a review of actual FY2022 revenues. The city council requested a resolution be brought for consideration to approve the funding of the city's Christmas program through Pelham Strong.

City Manager DiFante reviewed and explained the funding of the FY2022 budget, including capital projects.

3. **Resolution 2021-09-20-04** for consideration to enter into an agreement with the Board of Trustees of the University of Alabama, by and through the University of Alabama for the benefit of its student organization, the Alabama Hockey Sports Club, for the University's use of the Pelham Civic Complex & Ice Arena's facilities in accordance with the terms and conditions of said agreement

Pelham Civic Complex & Ice Arena Interim Administrator Steve St. John stated the contract with the University of Alabama is similar to agreements approved in the past by the city council. He noted the new proposed contract has a few minor changes from previous agreements.

4. **Resolution 2021-09-20-05** for consideration to a reappoint citizen to the Pelham Public Library Board

There were no questions or comments from the city council.

5. **Resolution 2021-09-20-06** for consideration to reappoint citizens to the Pelham Parks & Recreation Advisory Board

There were no questions or comments from the city council.

6. **Resolution 2021-09-20-07** for consideration to enter into an agreement with the Alabama Association of Fire Chiefs Mutual Aid Consortium as set forth in the agreement dated December 2020

Fire Chief Mike Reid stated there was not a mutual aid agreement between the various regional fire associations in the State of Alabama. He said adoption of this resolution resolves an issue brought to their attention by the Federal Emergency Management Agency (FEMA).

7. **Resolution 2021-09-20-08** for consideration to approve a request by T-Mobile for a special use permit to modify their equipment on an existing facility located at 5010 Oak Mountain Lane

David Andrews, with the Center for Municipal Solutions (CMS), the city's telecommunications consultants stated T-Mobile has made application to make modifications to their equipment on the existing tower located at 5010 Oak Mountain Lane. He said the existing tower is a 250 foot self-supporting tower and T-Mobile is currently providing service at the 250 foot height at this facility. Mr. Andrews stated T-Mobile currently has six (6) antennas and four feedlines mounted to the face of the tower. T-Mobile proposes to remove all current antennas and replace them with six (6) new models. They also propose to add one (1) new feed line to the face of the tower. He further stated the antenna count will remain the same and is not a substantial modification as defined by the Federal Communications Commission (FCC). Mr. Andrews said the upgrades should not have a negative effect on the aesthetics of the facility. He stated CMS recommends approval of the request and adoption of Resolution 2021-09-20-08.

8. **Resolution 2021-09-20-09** for consideration to approve a donation to the Pelham Beautification, Entertainment and Arts Team (B.E.A.T.) to provide for initial funding of the 501(c)(3) organization

There were no questions or comments from the city council.

9. **Resolution 2021-09-20-10** for consideration to enter into a public works contract with SWC for the installation of door access equipment for the new Fire Station No. 3

Director of Development Services & Public Works Andre` Bittas stated this is a contract with SWC for the installation of door access equipment for the new Fire Station No. 3.

10. **Resolution 2021-09-20-11** for consideration to enter into a public works contract with ISO Network, LLC to provide for a new closed circuit television (CCTV) system in the Pelham Police & Court Building

Director of Development Services & Public Works Andre` Bittas stated approval will allow for the updating of the security system within the Pelham Police & Court Building. Police Chief Pat Cheatwood said approval of Resolution 2021-09-20-11 replaces the original equipment installed 2006. He stated the updated equipment will provide better coverage for both interior and exterior areas of the building.

11. **Resolution 2021-09-20-12** for consideration to approve the single responsive and responsible bid from Central Pipe Supply, Inc. for the city-wide transition to radio read water meters

Director of Development Services & Public Works Andre` Bittas stated this resolution authorizes the purchase of the city-wide transition to radio read water meters. He said approval will also provide increased safety for the city's meter readers and more accuracy. Chris Cousins, Municipal Consultants, Inc., stated we have received preferred pricing with a savings of approximately \$83,000.00. He said the project should conclude in early 2023.

12. **Resolution 2021-09-20-13** for consideration to approve the lowest responsive and responsible bid from Wayne Davis Construction for the Pelham City Hall renovation project

Director of Development Services & Public Works Andre` Bittas stated having received the lowest responsive and responsible bid from Wayne Davis Construction for the Pelham City Hall renovation project. He stated the expected start date is November 2021 with a scheduled completion date of September 2022.

13. **Resolution 2021-09-20-14** for consideration to approve a change order for the Oak Mountain State Park Road utility relocation project

Chris Cousins, Municipal Consultants, Inc., stated this is a final summary change order for the closing out of this project.

14. **Resolution 2021-09-20-15** for consideration to approve a quote from Electric Machine Control, Inc. for Phase 1 of the software and hardware upgrades to the City of Pelham's Water and Sewer Department's SCADA system

Chris Cousins, Municipal Consultants, Inc., stated much of the software is over 20 years old and is in need of upgrading.

15. **Ordinance No. 135-242** amending Article XVI – B-3 Warehouse Business District, Section 2 - Permitted Uses by adding "Any use permitted in the B-2 zoning [district] not to include permitted uses in the B-1 neighborhood business district, however, the requirements set forth in B-2 general business district, Article XV, shall apply to this permitted use" and further renumbering the remaining items in Section 2. **FIRST READING**

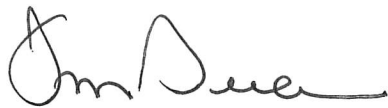
There were no questions or comments from the city council.

(End of September 20, 2021 Agenda Review)

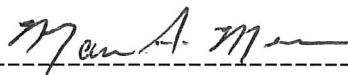
Adjournment

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 7:08 p.m.

Respectfully submitted this 20th day of September 2021.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

