



CITY COUNCIL WORK SESSION MINUTES

Pelham Senior Center
May 16, 2022 – 5:00 p.m.

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, May 16, 2022, 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 5:02 p.m.

Record of Attendance

The following elected officials were present:

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

The following elected official was not present:

Councilmember Rick Wash

The city clerk/treasurer recorded the attendance of all elected officials and announced a quorum was present. City Manager Gretchen DiFante and City Attorneys Josh Arnold and Bent Owens were 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 April 18, 2022 Regular Work Session Minutes.

The motion was seconded by Councilmember Lanier.

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 is to discuss the legal ramifications of and legal options for pending litigation, controversies not yet being litigated, but imminently likely to be litigated if the governmental body pursues a proposed course of action under Section 36-25A-7(3)(a), 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 purpose of tonight's Executive Session is appropriate under Section 36-25A-7(3) (a) and Section 36-25A-7(6) and Code of Alabama 1975, as amended.

A motion was made by Councilmember Palmer to enter 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>Not Present</u>
Mildred Lanier, Council Member	<u>Yes</u>

City Manager Gretchen DiFante asked the members of the city council, Mayor Waters, City Attorney Josh Arnold, City Attorney Bent Owens and City Clerk/Treasurer Tom Seale to attend the first part of the Executive Session. She stated Director of Development Services & Public Works Andre` Bittas, Director of Economic Development Michael Simon, Fire Chief Mike Reid and Police Captain Doug Setliff would be asked to attend the second part of the Executive Session. Council President Mercer stated he expected the city council to return from the Executive Session in approximately 60 minutes. The city council went into Executive Session at 5:04 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 6:28 p.m.

Request to Address the City Council – None

Old Business – None

New Business

1. Proposal – Pelham Municipal Business License Ordinance Optimization

City Manager Gretchen DiFante and Finance Director Jamie Wagner presented a proposal for a review and draft of a revised business license ordinance. Mrs. Wagner noted the city adopted a complete overhaul of the business license ordinance in 2008, with a few minor updates since that time. She stated recommending approval of the agreement with Innovation Tax & Consulting, LLC to review and draft an updated municipal business license ordinance for the City of Pelham for presentation to the city council.

New Employee Introductions

The following new employees were introduced to the city council:

- Shelbie Breanna Hughes (Bre), Water Department – Customer Service Representative
- Tanisha Chambers, Water Department – Customer Service Representative
- Derrick Wright, Fire Department – FireMedic
- Will Hayes, Fire Department – Firefighter
- Sgt. Steve Johnson introduced *Bagheera*, a black Labrador Retriever, the newest addition to the Police Department's K-9 unit. Officer Kevin Davis introduced *Ripley*, a chocolate Labrador Retriever, another new addition to the Police Department's K-9 unit.

Employee Promotions

- Carol Bowen, Water Department – Customer Service Representative/Billing Manager

Retiree Recognitions

Department of Development Services & Public Works Andre` Bittas recognized Jeff Brown (36 Years) and Kim Holcombe (10 Years) upon their retirement and dedicated service to the City of Pelham.

Review of May 16, 2022 Council Agenda

Council President Mercer reviewed the May 16, 2022 city council agenda.

E. Consent Agenda

A consent agenda is presented by the Council President at the beginning of a council meeting. Items presented on the consent agenda are considered routine and/or non-controversial and 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 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 May 16, 2022 City Council Agenda
2. Approval of the May 9, 2022 Regular Council Meeting Minutes

3. Approval of non-budgeted expenses from restricted fund accounts: None
4. **Resolution 2022-05-16-01** for consideration approve a professional services/independent contractor agreement with Innovation Tax & Consulting, LLC to review and draft an updated municipal business license ordinance for the City of Pelham

There were no city council questions or comments.

5. **Resolution 2022-05-16-02** for consideration of a request by AT&T for a special use permit for modifications to an existing telecommunications facility located at 1000 Martin Street

Jeff Bass, with the Center for Municipal Solutions (CMS), the city's telecommunications consultants stated AT&T has made application to modify their equipment on the existing tower located at 1000 Martin Street. He stated the existing tower is a 146-foot monopole tower and AT&T is currently providing service from this facility at a height of 148 feet. Mr. Bass said AT&T currently has nine (9) antennas mounted on the tower. AT&T proposes to remove six (6) antennas and replace them with nine (9) new antennas on the tower. He further stated six of the proposed antennas will be half antennas and will be stacked one on top of the other so they will only take up the space of three antennas being removed. Mr. Bass said AT&T proposes to remove nine (9) remote radio units and will add one (1) surge protector and three (3) new remote radio units back to the tower. He said the remote radio units will be mounted behind the antennas. AT&T proposes to add two (2) DC power cables and one (1) hybrid feed line inside the monopole shaft. Mr. Bass stated this is not a substantial modification as defined by the FCC and should not have a negative effect on the aesthetics of the facility. He further stated CMS recommends approval of the request and adoption of Resolution 2022-05-16-01.

6. **Resolution 2022-05-16-03** for consideration to approve a professional services agreement with Atlas Technical Consultants, LLC for construction materials testing at the Oak Mountain Trail project site

Director of Development Services & Public Works Andre` Bittas stated the request is to approve a professional services agreement with Atlas Technical Consultants, LLC for construction materials testing at the Oak Mountain Trail project site.

7. **Resolution 2022-05-16-04** for consideration to accept the most responsive and responsible bid by Tren-Tay, Inc. for the Sanitary Sewer Rehabilitation Phase II-B project

Director of Development Services & Public Works Andre` Bittas explained the \$2.4 million project for sanitary sewer Rehabilitation. He stated the subdivisions and streets impacted by the sewer rehabilitation project include:

- Cedar Cove/Indian Creek
- Crosscreek/Cahaba Manor
- Chandalar South/Chandalor Townhomes
- King Valley
- Ivy Brook
- Stonehaven (partial)
- Chase Creek
- Yeager Parkway

8. **Resolution 2022-05-16-05** for consideration to accept the annual Municipal Water Pollution Prevention (MWPP) Program Report prepared by Municipal Consultants, Inc.

Director of Development Services & Public Works Andre` Bittas stated an annual review and approval by the city council of the city's Municipal Water Pollution Prevention (MWPP) Program is required by the Alabama Department of Environmental Management (ADEM). Mr. Bittas said the city scored a 90 on a scale of 0-783, with 0 being the best score.

- F. Public Hearing(s) – None
- G. Mayor's Comments
- H. Proclamation(s) by the Mayor and Others – None
- 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 – None
- M. New Business / Resolutions / Ordinances / Orders and Other Business

1. **Resolution 2022-05-16-06** for consideration to amend various FY2022 department budgets as a part of the mid-year review

A motion was made by Councilmember Lanier to remove Resolution 2022-05-16-06 from the May 16, 2022 city council agenda. Said motion was seconded by Councilmember Coram. There being no further discussion, the motion to remove Resolution 2022-05-16-06 from the agenda passed unanimously by voice vote of those members present and the council president declared the same approved.

2. **Resolution 2022-05-16-07** for consideration of an ABC License application for 011 – Lounge Retail Liquor – Class II (Package) license for applicant FNA Investments LLC operating under the trade name Pelham Exxon Package Store, located at 2264 Highway 52 East Suite B, Pelham, Alabama 35124

Councilmember Coram stated the applicant is a member of the Responsible Vendor Program. Tim Allen, with Allen Oil Company, spoke in support of the applicant.

3. **Resolution 2022-05-16-09** for consideration to approve a job description and associated pay for the position of Deputy Director/City Engineer within the Department of Streets & Public Works previously reviewed and approved by the Pelham Personnel Board

Director of Development Services & Public Works Andre Bittas stated the City Engineer position is already approved. He said the additional duties and responsibilities provides for succession planning in this department and touches other areas within the city. He noted the difficulty in finding qualified candidates under the current duties, responsibilities and associated pay.

4. **Resolution 2022-05-16-10** for consideration to approve a job description and associated pay for the position of GIS/IT Systems Analyst within the IT Department previously reviewed and approved by the Pelham Personnel Board

City Manager DiFante explained the duties and responsibilities of the current GIS position. She said it is her recommendation to place the GIS/IT Systems Analyst position in the IT Department to provide services to other city departments.

5. **Resolution 2022-05-16-11** for consideration to approve a job description and associated pay for the position of Equipment Operator within the Department of Streets & Public Works-Water Division previously reviewed and approved by the Pelham Personnel Board

Director of Development Services & Public Works Andre` Bittas said the Water Department does not have an equipment operator position and he felt the need to establish one. He noted in the past the need to pull equipment operators from other crews which lessened the efficiency of their work. He said having the correct skill set within each crew is important to get the work done more efficiently.

6. **Resolution 2022-05-16-12** for consideration to approve a job description and associated pay for the position of Manager of Water & Sewer within the Department of Streets & Public Works-Water/Sewer Division previously reviewed and approved by the Pelham Personnel Board

Director of Development Services & Public Works Andre Bittas stated the Water Field Manager is already an approved position. He stated the need to revise, approve and hire the position of Manager of Water & Sewer to oversee both the water and sewer operations to be more efficient within both departments. City Manager DiFante explained the job description and associated pay has been updated.

7. **Resolution 2022-05-16-13** for consideration to approve a job description and associated pay for the position of Payroll & Benefits Analyst within the Human Resources Department previously reviewed and approved by the Pelham Personnel Board

Human Resources Director Tracy Hill stated this is a position update. She said the position has evolved over the years which necessitated the need to review. She said this job serves as a backup to the Human Resources Director. Human Resource Management (HRM) has reviewed the position and made recommendations for the revisions. Mrs. Hill explained job descriptions are reviewed, updated and restructured as needed. Councilmember Lanier asked for an updated organizational chart. Mrs. Hill stated the ERP system will provide reporting for the city council.

(End of May 16, 2022 Agenda Review)

Councilmember Coram made a motion to recess the May 16, 2022 work session. Said motion was seconded by Councilmember Lanier. There being no further discussion the motion to recess the work session passed by a unanimous voice vote of those members present. The work session recessed at 7:26 p.m.

Council President Mercer called the work session back to order 8:02 p.m.

New Business (Continued)

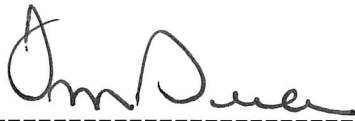
2. FY2022 Mid-Year Budget Review Update

City Manager DiFante and Finance Director Jamie Wagner reviewed the proposed FY2022 mid-year budget and gave an overview and recommended adjustments. Mrs. Wagner explained the city is moving from a cash basis to a modified accrual basis to better reflect the city's income and expenses within the fiscal year budget. Director of Development Services & Public Works Andre' Bittas reviewed the specific areas of the various budgets with particular attention to equipment purchases and construction projects.

Adjournment

A motion to adjourn the work session was made by Councilmember Coram and seconded by Councilmember Palmer. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 8:42 p.m.

Respectfully submitted this 16th day of May 2022.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

