



CITY COUNCIL WORK SESSION MINUTES

Pelham Senior Center
June 27, 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, June 27, 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 5:09 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

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 was not present. City Attorney Grace Graham was present.

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 6, 2022 Regular Work Session Minutes.

The motion was seconded by Councilmember Palmer.

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

Request to Address the City Council – None

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.

City Attorney Grace Graham 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 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>Not Present</u>
Mildred Lanier, Council Member	<u>Yes</u>

Council President Mercer asked the members of the city council, Mayor Waters, City Attorney Grace Graham 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 15 minutes. The city council went into Executive Session at 5:11 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 5:16 p.m.

Council President Mercer called the work session back to order at 5:18 p.m.

Old Business – None

New Business

1. Presentation of FY2021 financial statements by BMSS, LLC, Certified Public Accountants

Finance Director Jamie Wagner introduced Mike Brand, CPA and Jake Bechert, CPA, with BMSS, LLC, the city's external auditing firm. Mr. Brand addressed the city council and presented the city's FY2021 financial statements. He thanked the city staff for their prompt response time and overall helpfulness during the audit. Mr. Brand stated the audit was a clean opinion and in accordance with generally accepted accounting practices. Mr. Brand reviewed the current financial position of the city. He stated revenues exceeded expenses by \$9 million. He said the audit team did not encounter any issues with the audit. Mr.

Brand stated the city received BMSS's highest audit rating, an unqualified opinion. Mr. Brand continued to review highlights of the FY2021 financial statements. Members of the city council asked several questions with respect to the FY2021 audit. Mrs. Wagner asked the city council to forward any questions about the FY2021 audit to her attention.

2. Discussion - One-Time lump sum payment for Retirees and Beneficiaries of Deceased Retirees and amending the FY2022 General Fund Budget

Human Resources Director Tracy Hill explained the proposed one-time lump sum payment for retirees and beneficiaries of deceased retirees. She stated the cost to the city would be \$104,242.00 and payment is due on or before August 31, 2022. She further stated the one-time lump sum payment would be made to approximately 150 retirees and beneficiaries of deceased retirees in October 2022. Mrs. Hill said a FY2022 budget amendment would be required to process the payment if approved by the city council. She said if the council wishes to move forward, a resolution would be prepared for the July 5, 2022 agenda for consideration. The city council agreed to consider a resolution on July 5, 2022.

3. Discussion - Support for the 2022 American Legion U19 Regional Baseball Tournament

Alan Phillips, representing the American Legion, thanked the city council for their support in 2021. He reviewed the economic impact of the 2021 tournament to the City of Pelham. Mr. Phillips provided a brief overview of the proposed American Legion U19 Regional Baseball Tournament scheduled for August 2-7, 2022 at Pelham High School. He asked for financial and in-kind services support from the city.

Council President Mercer reviewed the financial and personnel support request with Mayor Waters regarding the city support for the tournament.

It was the consensus of the council to support a donation of \$3,000.00 plus the cost of city provided services.

Council President Mercer asked the city clerk/treasurer to prepare a resolution for the July 5, 2022 meeting for city council consideration.

Mr. Phillips thanked the mayor and city council for their support.

New Employee Introductions - None

Employee Promotions - None

Employee Recognitions

Mayor Waters and Fire Chief Mike Reid recognized Capt. Justin Palmer upon his retirement and 28 years of dedicated service to the City of Pelham.

Mayor Waters thanked IT Manager Dell Ann Holly for her 14 years of dedicated service to the City of Pelham. Mrs. Holly has accepted an IT position with the United States Secret Service. He wished Mrs. Holly well on her new employment opportunity.

Review of June 27, 2022 Council Agenda

Council President Mercer reviewed the June 27, 2022 city council agenda.

E. Consent Agenda

A consent agenda is presented by the presiding officer 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 presiding officer and City Council.

1. Approval of the June 27, 2022 City Council Agenda
2. Approval of the June 6, 2022 Regular Council Meeting Minutes
3. Approval of non-budgeted expenses from restricted fund accounts: None
4. **Resolution 2022-06-06-02** for consideration to approve certain food and beverage equipment replacement purchases at the Pelham Civic Complex & Ice Arena

Andy Linton, VenuWorks of Pelham, presented the proposed food and beverage equipment replacement purchases to the city council for their review and consideration.

5. **Resolution 2022-06-27-01** for consideration to approve an ABC license application for Greenawalt Hospitality, LLC located at 200 Terrace Drive (Oak Mountain State Park), Pelham, Alabama 35124 operating under the trade name B and B Beverage Management for the 2022 World Games

Councilmember Coram stated B and B Beverage Management will be handling alcoholic beverage concessions at Oak Mountain State Park during the 2022 World Games. Lance Ledbetter, B and B Beverage Management, was present to answer questions from the city council. Mr. Ledbetter explained the company's position and employee training on alcoholic beverage sales.

6. **Resolution 2022-06-27-02** for consideration to approve an ABC license application for Chandelier Lounge, LLC located at 212 Cahaba Valley Road, Pelham, Alabama 35124 operating under the trade name Chandelier Lounge

Councilmember Coram stated this is a new business in Pelham and will be participating in the Responsible Vendor Program. Latavia Goodwin, Chandelier Lounge, LLC, was present to answer questions from the city council. She said the employees would be trained in the Safe Serve program and would receive additional in-house training.

7. **Resolution 2022-06-27-03** for consideration to approve the most responsive and responsible bid for equipment and installation on police department vehicles

Police Chief Pat Cheatwood explained the bid is for installation of equipment of five Dodge Chargers recently approved and purchased.

8. **Resolution 2022-06-27-04** for consideration of a request by T-Mobile for a special use permit for modifications to an existing telecommunications facility located at 7050 Highway 11

Jeff Bass, with the Center for Municipal Solutions (CMS), the city's telecommunications consultants stated T-Mobile has made application to modify their equipment on the existing tower located at 7050 Highway 11. He stated the existing tower is a 181-foot monopole tower and T-Mobile is currently providing service from this facility at a height of 181 feet. Mr. Bass said T-Mobile currently has three (3) antennas mounted on the tower. T-Mobile proposes to remove all antennas and replace them with six (6) new antennas on the tower. He said they propose to remove six (6) remote radio units and add six (6) new remote radio units back to the tower. He stated the remote radio units will be mounted behind the antennas. Mr. Bass said T-Mobile proposes to add two (2) hybrid feed line inside the monopoles shaft. He further 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.

9. **Resolution 2022-06-27-05** for consideration to approve the early lease termination agreement between the City of Pelham and Stallions Auto Sales, LLC located at 1904 Montgomery Highway, Hoover, Alabama 35244

Economic Development Director Michael Simon stated the early termination agreement is before the council for consideration to vacant the property located at 1904 Montgomery Highway, Hoover, Alabama 35244. Councilmember Palmer, Councilmember Lanier and Council President Mercer thanked Mr. Simon for this dedication in bringing the lease termination to the council to improve a gateway into the city.

10. **Resolution 2022-06-27-06** for consideration to approve a purchase and sales agreement between the City of Pelham and HES Investments, Inc. for the sale 3.29 +/- acres of real property located along Pelham Parkway

Economic Development Director Michael Simon explained the proposed development of the parcel under consideration for purchase by HES Investments, Inc. He stated the purchaser has a period of 180 days to complete their due diligence to move the project forward.

11. **Resolution 2022-06-27-07** for consideration to approve the grant funding agreement between the City of Pelham and the U.S. Department of Agriculture Natural Resources Conservation Service for the removal of debris along Buck Creek generally from Chandalar Drive to U.S. Highway 31 and to amend the FY2022 General Fund Budget

Acting City Engineer Chris Cousins stated the grant provides for the city to remove storm debris from the March 2021 tornado event along Buck Creek, generally from Chandalar Drive to U.S. Highway 31. He stated the grant is for a 75/25 participation, with the city's portion being 25%. He explained the process to remove the debris in the area along Buck Creek. Mr. Cousins said he anticipates a six-month project timeline from start to finish.

12. **Resolution 2022-06-27-08** for consideration to approve a professional services agreement with Gresham Smith to provide engineering consulting services for the Shelby County Highway 52 East Traffic Signal Field Assessment Project

Acting City Engineer Chris Cousins stated the agreement provides for a traffic signal field assessment of the Highway 52 East corridor, like the Highway 31 and Highway 119 corridors recently completed for the Alabama Department of Transportation by Gresham Smith.

13. **Resolution 2022-06-27-09** for consideration to approve the implementation of Phase 1 of the Alabama Department of Transportation's (ALDOT) Regional Transportation Operations Program (RTOP) for repairs to various traffic signals within the city along U.S. Highway 31 (Pelham Parkway) and amending the FY2022 Engineering budget

Acting City Engineer Chris Cousins explained the cost to begin repairs to various traffic signals, following the traffic signal assessment, exceeds \$50,000 and will have to be bid. He further stated a budget amendment to the FY2022 Engineering budget will need to be considered and approved by the city council to move the project forward.

- F. Public Hearing(s) – None
- G. Mayor's Comments
- H. Proclamation(s) by the Mayor and Others – None
- I. Report of the City Manager – None
- J. Report of the City Attorney – None
- 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 – None

(End of June 27, 2022 Agenda Review)

Adjournment

A motion to adjourn the work session was made by Councilmember Coram and seconded by Councilmember Lanier. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 6:33 p.m.

Respectfully submitted this 27th day of June 2022.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

