



CITY COUNCIL MEETING MINUTES

Pelham Police & Court Building

August 15, 2022 – 7:00 p.m.

Proper notice of the regularly scheduled meeting of the Pelham City Council was given in advance of such public meeting and the notice remained posted throughout the scheduled meeting.

Date: August 15, 2022
Time: 7:00 p.m.
Place: Pelham Police & Court Building
Present: Council President Maurice Mercer
Councilmember David Coram
Councilmember Larry Palmer
Councilmember Rick Wash
Councilmember Mildred Lanier
Mayor Gary Waters

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Mercer called the meeting to order at 7:00 p.m. Councilmember Lanier led the invocation. The Pledge of Allegiance was led by Councilmember Palmer.

RECORD OF ATTENDANCE

The city clerk/treasurer recorded the attendance of the elected officials and announced a quorum was present.

City Manager Gretchen DiFante and City Attorney Josh Arnold were present.

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, 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 considered 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 August 15, 2022 City Council Agenda
2. Approval of the August 1, 2022 Regular City Council Meeting Minutes
3. Approval of non-budgeted expenses from restricted fund account(s): None
4. **Resolution 2022-08-15-01** for consideration to enter into a purchase and maintenance agreement for software and equipment for the Pelham Racquet Club
5. **Resolution 2022-08-15-02** for consideration to approve a public works project to install new electrical equipment at the Street Department's Pole Barn
6. **Resolution 2022-08-15-03** for consideration to declare repairs to the baseball field lights at City Park as a public works project and further authorize and approve said repairs

- 7. **Resolution 2022-08-15-04** accepting responsibility for paying only the electric service for five (5) LED streetlights in Simms Landing, Phase 2
- 8. **Resolution 2022-08-15-05** accepting the most responsive and responsible from Takco Construction for the Oak Mountain Trail infrastructure improvements and amending the budget for said project
- 9. **Resolution 2022-08-15-06** authorizing a professional services agreement with AECOM to assist the city in the preparation of a grant application for the Railroad Crossing Elimination Grant Program (RCE)

Council President Mercer stated the complete text of the agenda, minutes, ordinance(s) and each resolution are available at Pelham City Hall and online at www.pelhamalabama.gov.

Councilmember Coram moved to adopt the Consent Agenda as presented by Council President Mercer. Councilmember Wash seconded the motion.

Council President Mercer asked the city clerk/treasurer for a roll call vote. The vote to adopt said Consent Agenda 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>

The motion to adopt the Consent Agenda passed unanimously by roll call vote of those members present and the council president declared the same passed and adopted.

PUBLIC HEARING(S)

Councilmember Wash moved to recess the city council meeting in order to hold a public hearing for which proper notice had been given. The motion was seconded by Councilmember Coram and approved unanimously by voice vote of those members present. The council meeting recessed at 7:02 p.m.

Council President Mercer explained the purpose of the public hearing was to consider amendments to the zoning ordinances of the City of Pelham.

Council President Mercer announced the public hearing was in session regarding the amending of the Zoning Ordinances of the City of Pelham as noted in proposed Ordinance No. 135-251 and Ordinance No. 135-252. He further stated the city council would now hear comments both for and against the consideration to amend the Zoning Ordinances of the City of Pelham.

Speaking in favor of amending the Zoning Ordinance by adopting Ordinance No. 135-251:

Planning and Zoning Administrator Sherry Proctor explained signage, landscaping and parking were the focus of amendments to the Corridor Overlay district, to include:

- Section 5(2) - Clarifying that all power must be underground.
- Section 6(1) - Providing a maximum setback of 75 feet.
- Section 6(6) - Clarification on 'primary exterior materials' and allowing more variety for accent materials (75%/25%).
- Section 10 - Strengthening the signage, to limit the square footage and height of signs, allowing monument style signs only, limiting LED/EMC sign square footage (50% of allowed).
- Section 11 - Restricting front parking areas, by limiting to no more than 2 rows of parking.
- Section 12 - Strengthening the landscaping and buffers.

Speaking against amending the Zoning Ordinance by adopting Ordinance No. 135-251:

- No member of the public or city council spoke in opposition to Ordinance No. 135-251.

Speaking in favor of amending the Zoning Ordinance by adopting Ordinance No. 135-252:

Planning and Zoning Administrator Sherry Proctor explained amendments to the B-2 (General Business District) include:

- Removing duplications of permitted uses:
 - Warehouse (B-3 and M-1)
 - Distribution (M-1)
 - Building trades (carpentry, plumbing, electrician) (B-3)
 - Major vehicle, farm implement, trailer repair (M-1)
 - Farm implement sales and display (M-1)
 - Recreation vehicle sales (M-1)
- Clarification of amusement and recreation service (health club, skating rink, bowling, etc.)
- Emphasizing no outdoor storage of rental/sales of light equipment

Speaking against amending the Zoning Ordinance by adopting Ordinance No. 135-252:

- No member of the public or city council spoke in opposition to Ordinance No. 135-252.

Council President Mercer called back to city council meeting back to order at 7:11 p.m.

MAYOR'S REPORT/COMMENTS - None

PROCLAMATION(S) BY THE MAYOR AND OTHERS - None

REPORT OF THE CITY MANAGER

- Informed the city council the Alabama Department of Transportation (ALDOT) has been working on timing issues of red lights along U.S. Highway 31 North and U.S. Highway 119. She asked the public to inform the city if any issues arise.

REPORT OF THE CITY ATTORNEY - None

REQUEST(S) TO ADDRESS THE COUNCIL - None

OLD BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS - None

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. Ordinance No. 135-251 to amend Article XXI (Corridor Overlay District) and Ordinance No. 135-252 to amend Article XV (B-2 General Business District) of the Zoning Ordinance of the City of Pelham were introduced and read in their entirety by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 135-251 and Ordinance No. 135-252 is available at Pelham City Hall and online at www.pelhamalabama.gov.

Council President Mercer announced these Ordinances will likely be considered by the city council at a future city council meeting.

Councilmember Wash moved that all rules which would prevent the immediate consideration of Ordinance No. 135-251 and Ordinance No. 135-252 be suspended and immediate consideration given. The motion was seconded by Councilmember Coram .

Council President Mercer asked the city clerk/treasurer for a roll call vote. The vote to suspend the rule for immediate consideration of Ordinance No. 135-251 and Ordinance No. 135-252 were recorded as follows:

Maurice Mercer, Council President Yes

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 announced the motion to suspend the rule for immediate consideration of Ordinance No. 135-251 and Ordinance No. 135-252 passed by a unanimous roll call vote of those councilmembers present.

Councilmember Coram moved to adopt Ordinance No. 135-251 and Ordinance No. 135-252 as presented and Councilmember Wash seconded the motion. There being no further discussion, Council President Mercer asked the city clerk/treasurer for a roll call vote to adopt Ordinance No. 135-251 and Ordinance No. 135-252. The roll call vote 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 announced Ordinance No. 135-251 and Ordinance No. 135-252 was passed and adopted by unanimous roll call vote of those councilmembers present.

PUBLIC COMMENTS

Public comments are limited to three (3) minutes per speaker. Individuals wishing to address the City Council may after being recognized approach the podium and state their name and physical address prior to making their comments in a respectful manner.

There were no comments or questions from the public.

COUNCIL COMMENTS

Councilmember Coram noted the police department's recent arrest of suspects in the theft of diesel fuel from a local gas station. He stated the junk cars at the former site of Pelham United Methodist Church have been removed.

Councilmember Wash complimented the Planning Commission on bringing the proposed amendments to the city council for consideration.

PUBLIC ANNOUNCEMENTS

1. The Pelham City Council will hold special work sessions to discuss the FY2023 operating and capital budgets at the Police & Court Building in the Courtroom at the following date and time.
 - Wednesday, August 17, 2022: 2:00 p.m. until 8:00 p.m.
2. The Pelham Water Board will meet Wednesday at 4:00 p.m. at the Police & Court Building in the Courtroom.
3. The Pelham City Council is accepting letters of interest and resumes through Wednesday, August 24, 2022 at 5:00 p.m. from those citizens who would like to be considered for an appointment to one of the following municipal boards: Pelham Storm Water Board, Pelham Planning Commission, Pelham Board of Adjustments, Pelham Zoning Board of Adjustments and Appeals, Pelham Parks & Recreation Advisory Board and Pelham Public Library Board. Please submit your application (available online) and resume to Pelham City Clerk/Treasurer Tom Seale at Pelham City Hall or email tom@pelhamalabama.gov prior to the deadline.

4. Pelham City Offices will be closed Monday, September 5, 2022 in observance of Labor Day.
5. The regular scheduled September 5, 2022 work session and council meeting has been moved to September 6, 2022 due to the Labor Day holiday.

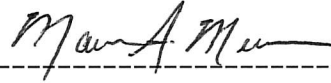
ADJOURNMENT

With no other business before the council, Councilmember Coram moved to adjourn the council meeting and Councilmember Lanier seconded the motion. By voice vote, the motion passed unanimously by those members present and the meeting was adjourned at 7: 27 p.m.

Respectfully submitted this 15th of August 2022.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, Council President

