



CITY COUNCIL MEETING MINUTES

Pelham Police & Court Building

February 20, 2023 – 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: February 20, 2023
Time: 7:00 p.m.
Place: Pelham Police & Court Building
Present: Council President Maurice Mercer
Councilmember Larry Palmer
Councilmember Rick Wash
Councilmember Mildred Lanier
Mayor Gary Waters

Not Present: Councilmember David Coram

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Mercer called the meeting to order at 7:04 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 February 20, 2023 City Council Agenda
2. Approval of the February 6, 2023 Regular City Council Meeting Minutes
3. **Resolution 2023-02-20-01** for consideration to approve the 2023 contract with Pyro Shows of Alabama, Inc. for the city's annual "Fire on the Water" fireworks show on Monday, July 3, 2023 at Oak Mountain State Park and to amend the Mayor's FY2023 Budget from unencumbered General Fund reserves due to increased costs.
4. **Resolution 2023-02-20-02** for consideration to approve the most responsive and responsible base bid for the Amphitheater Road Widening Project and to amend the General Obligation Warrant 2021-A Capital Projects budget due to increased construction costs.
5. **Resolution 2023-02-20-03** for consideration to authorize an agreement with Alabama Power Company for the installation of two new streetlights along Shelby County Highway 52E and accepting responsibility for the monthly equipment and electrical bill.
6. **Resolution 2023-02-20-04** for consideration to approve a public works contract to remove and replace existing HVAC units at the Pelham Police & Court Building. This project has been budgeted in FY2023.

7. **Resolution 2023-02-20-05** for consideration to approve an invoice to replace three (3) existing HVAC units at the Pelham Tennis Center and to amend the Capital Project's FY2023 budget.

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

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

Councilmember Lanier seconded the motion.

Council President Mercer asked the city clerk/treasurer for a roll call vote. The vote to adopt the Consent Agenda was recorded as follows:

Maurice Mercer, Council President	<u>Yes</u>
David Coram, Council Member	<u>Not Present</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 Palmer moved to recess the city council meeting to hold a public hearing for which proper notice had been given. The motion was seconded by Councilmember Lanier and approved unanimously by voice vote of those members present. The council meeting recessed at 7:08 p.m.

Council President Mercer explained the purpose of the public hearing was to consider amending the Code of Ordinances of the City of Pelham.

Council President Mercer announced the public hearing was in session regarding amending the Code of Ordinances of the City of Pelham - Chapter 4, Building, Construction and related activities and Chapter 7, Fire Protection and Prevention. He further stated the city council would now hear comments both for and against the consideration to amend Chapter 4 and Chapter 7 of the Code of Ordinances of the City of Pelham.

City Manager Gretchen DiFante spoke to the choices available to the city council in adopting Ordinance No. 067-12.

Speaking in favor of amending Chapter 4 and Chapter 7 by adopting Ordinance No. 067-12:

Levis Peters, Pelham Building Official, and Wes Greene, Pelham Fire Marshal, spoke in favor of adopting the 2021 International Building and Fire Code and the International Property Maintenance Code, et al. Each explained the reasons for adopting the changes.

Speaking against amending Chapter 4 and Chapter 7 by adopting Ordinance No. 067-12:

Michael Buchina, 2589 Royal Court, Pelham, Alabama 35124, spoke in opposition to the adoption of Ordinance No. 067-12. He stated the proposed changes did not specifically address whether the Ordinance was speaking to residential, commercial or industrial properties. He further stated some of the language was vague and confusing. He asked for the opportunity to discuss the Ordinance further.

Council President Mercer called the city council meeting back to order at 7:20 p.m.

MAYOR'S REPORT/COMMENTS - See the Work Session minutes from February 20, 2023.

PROCLAMATION(S) AND RESOLUTION(S) BY THE MAYOR AND OTHERS - None

REPORT OF THE CITY MANAGER - See the Work Session minutes from February 20, 2023.

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. 067-12** adopting portions of the 2021 International Building and Fire Code and the International Property Maintenance Code, et al. was summarized by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 067-12 is available at Pelham City Hall and online at www.pelhamalabama.gov.

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

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 public comments.

COUNCIL COMMENTS

Councilmember Wash thanked Director of Development Services & Public Works Andre Bittas and Acting City Engineer Chris Cousins and staff for their assistance regarding a recent sewer issue. He said the city staff and employees care about the city and its citizens.

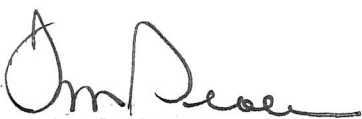
PUBLIC ANNOUNCEMENTS

1. The Pelham City Council is accepting letters of interest and resumes through Wednesday, at 5:00 p.m. from those citizens who would like to be considered for an appointment to the Pelham Board of Education, Place 5. Please submit all letters and resumes to Pelham City Clerk/Treasurer Tom Seale or email tom@pelhamalabama.gov prior to the deadline.
2. The 2023 Pelham Severe Weather Sales Tax Holiday will begin at 12:01 a.m. on Friday, February 24th, and will end at midnight on Sunday, February 26th. During the holiday, the State of Alabama, Shelby County and Pelham will waive their sales tax. A list of eligible emergency preparedness items can be found on the City's website at www.pelhamalabama.gov.
3. The annual "Taste of Pelham" will be held on March 14th from 6:00 p.m. until 8:00 p.m. at the Pelham Civic Complex & Ice Arena. This event is sponsored by the Pelham Library Guild and all proceeds benefit the Pelham Public Library.
Tickets are \$40 in advance or \$50 at the door and will go on sale February 6th and may be purchased through 2023tasteofpelham.eventbrite.com or at the Library.

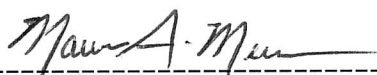
ADJOURNMENT

With no other business before the council, Councilmember Lanier moved to adjourn the council meeting and Councilmember Palmer seconded the motion. By voice vote, the motion passed unanimously by those members present and the meeting was adjourned at 7:28 p.m.

Respectfully submitted this 20th of February 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

