



# CITY COUNCIL MEETING MINUTES

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Pelham Police & Court Building

March 7, 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:** March 7, 2023  
**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 7:03 p.m. Councilmember Coram 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 March 7, 2023 City Council Agenda
2. Approval of the February 20, 2023 Regular City Council Meeting Minutes
3. **Resolution 2023-03-07-01** for consideration to accept the resignation of City Councilmember Larry Palmer, Place No. 2, effective March 28, 2023
4. **Resolution 2023-03-07-02** for consideration to transfer excess in revenues over expenditures from the FY2022 budget for deposit into the various reserve funds on or before March 31, 2023 which were established by the Pelham City Council
5. **Resolution 2023-03-07-03** for consideration to approve a joint Emergency Water Purchase Agreement between the Water Works Board of the Town of Columbiana and the City of Pelham
6. **Resolution 2023-03-07-04** for consideration to approve a request by Dish Wireless for a special use permit to install their equipment on an existing tower located at 2030 Valleydale Terrace
7. **Resolution 2023-03-07-05** for consideration to approve a lease agreement of five annual payments for (2) beverage carts and (3) utility carts at Ballantrae Golf Club and to repeal Resolution 2022-10-03-05 in its entirety. This lease was approved in the FY2023 Ballantrae Golf budget.

- 8. **Resolution 2023-03-07-06** for consideration to approve a lease agreement of five annual payments for one (1) utility driving range picker cart at Ballantrae Golf Club. This lease was approved in the FY2023 Ballantrae Golf budget.
- 9. **Resolution 2023-03-07-07** for consideration to approve a quote from Dexter Fortson & Associates, Inc. to perform the integration of new SCADA software for the Pelham Sewer System, Phase II. This expense was approved as a part of the Capital Projects-Sewer budget.
- 10. **Resolution 2023-03-07-08** for consideration to approve a quote from Dexter Fortson & Associates, Inc. to perform the integration of new SCADA software for the Pelham Water System, Phase II. This expense was approved as a part of the FY2023 Capital Projects-Water 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](http://www.pelhamalabama.gov).

Councilmember Coram 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>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) – None

MAYOR’S REPORT/COMMENTS – None

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

REPORT OF THE CITY MANAGER

See the March 7, 2023 Work Session Minutes for City Manager DiFante’s comments.

REPORT OF THE CITY ATTORNEY – None

REQUEST(S) TO ADDRESS THE COUNCIL

Chad Leverett, Pelham Strong, addressed the city council. Mr. Leverett updated the city council on the various activities of Pelham Strong. He asked the city council and employees to be aware of any needs in our community.

Mr. Leverett noted the following programs, events and activities.

- Providing a \$1,000.00 scholarship to a Pelham High School graduating senior.
- Pelham Strong assisted 37 children through their toy drive in 2022. In 2023 Pelham Strong is partnering with the Fraternal Order of Police (FOP) to help Shelby County, Chilton County and Children’s Hospital.
- “Walk for Christ” will be held on March 11th from 3:00 p.m. until 7:00 p.m. There will be a lot of activities for everyone to enjoy.

- Pelham Strong is partnering with Forward to Freedom, a non-profit organization, that works with repeat, non-violent, offenders. The event is scheduled for March 11th at Pelham City Park beginning at 6:00 p.m. with a candlelight walk.
- Pelham Beautification Entertainment and Arts Team (B.E.A.T.) is sponsoring a dinner theatre on May 5th and 6th at the Pelham Civic Complex & Ice Arena. Tickets are \$50.00 each. Appetizers will be served at 6:00 p.m., dinner at 7:00 p.m. and the play starting at 8:00 p.m.
- The BEAT is partnering with Court Appointed Special Advocate (CASA) to sponsor the Superhero Run and Pelham Games. The events are scheduled for May 13th at Pelham City Park. The Superhero Run begins at 8:30 a.m. followed by the Pelham Games from 10:00 a.m. until 2:00 p.m.

Parks & Recreation Director Brian Cooper and Dr. Judy Mannings updated the city council on the AARP grants. Dr. Mannings informed the city council the Alabama Walking College has awarded the city a \$4,000.00 AARP grant to provide for emergency call boxes along the Pelham Walking Trail.

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

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Resolution 2023-03-07-09** for consideration to enter into a purchase agreement with Playcore Wisconsin, Inc. d/b/a Gametime for the manufacture and installation of a splash pad at Pelham City Park was introduced by Council President Mercer. This expense was approved as a part of the FY2023 Capital Projects budget.

Councilmember Wash moved to adopt Resolution 2023-03-07-09 and Councilmember Coram seconded the motion.

There being no further discussion, the motion to adopt Resolution 2023-03-07-09 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

2. **Resolution 2023-03-07-10** for consideration to authorize the Mayor to enter into a Settlement Agreement and General Release regarding the *FSI Green Park South Property LLC v. The City of Pelham, Alabama, et al* litigation was introduced by Council President Mercer.

Councilmember Coram moved to adopt Resolution 2023-03-07-10 and Councilmember Lanier seconded the motion.

City Attorney Josh Arnold introduced Spencer Templeton with Simpson, McMahan, Glick & Burford, PLLC, attorney for FSI Green Park South, and Craig Schellbach, engineer for YES Communities. Ms. Templeton and Mr. Schellbach addressed the city council regarding the plans for improvements to the Green Park South community. The city council spoke to the planned upgrades and were encouraged about the improvements to the quality of life for the residents.

There being no further discussion, the motion to adopt Resolution 2023-03-07-10 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

3. **Ordinance No. 411-01** for consideration to amend Ordinance No. 411 providing a free individual lifetime membership to the Pelham Racquet Club and/or Ballantrae Golf Club and/or the Pelham Recreation Center for any retiring City of Pelham employee and retiring elected official with certain minimum years of service was introduced and read in its entirety by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 411-01 is available at Pelham City Hall and online at [www.pelhamalabama.gov](http://www.pelhamalabama.gov).

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

4. **Resolution 2023-03-07-11** approving revisions to the City of Pelham, Shelby County, Alabama Civil Service System Act was introduced and read its entirety by Council President Mercer.

Resolution 2023-03-07-11 was added to the March 7, 2023 agenda by city council action.

Councilmember Lanier moved to adopt Resolution 2023-03-07-11 and Councilmember Wash seconded the motion.

There being no further discussion, the motion to adopt Resolution 2023-03-07-11 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

#### 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.*

Jason McCracken, President, Kiwanis of Central Alabama, addressed the city council and made comments regarding Pelham's new civic organization.

#### COUNCIL COMMENTS

Councilmember Lanier thanked everyone involved with all the activities and projects brought before the city council tonight.

#### PUBLIC ANNOUNCEMENTS

1. 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](https://2023tasteofpelham.eventbrite.com) or at the Library.
2. The Pelham City Council will hold a public hearing on March 20th in the Council Chambers at City Hall at 7:00 p.m. to consider Ordinance No. 067-12 adopting portions of the 2021 International Building and Fire Code and the International Property Maintenance Code, et al.
3. The Pelham City Council will hold a public hearing on March 20th in the Courtroom at the Pelham Police & Court Building at 7:00 p.m. to consider Ordinance No. 135-254 an amendment to the zone district boundaries of the City of Pelham changing the present zoning R-1 (Residential District) and B-2 (General Business District) to P-MHP (Planned Manufactured Home Park) for property located at 301 Green Park South, Pelham, AL 35124. (98.778 acres)  
Applicant: FSI Green Park South Property, LLC, 7457 Franklin Road, Suite 300, Bloomfield Hills, Michigan 48301  
Property Owner: FSI Green Park South Property, LLC, 7457 Franklin Road, Suite 300, Bloomfield Hills, Michigan 48301
4. ProTec Recycling and the City of Pelham will host a spring shred and e-recycling event on Saturday, April 1, 2023 from 9:00 a.m. until 12:00 Noon. It will take place in front of City Hall, 3162 Pelham Parkway. Additional, details about shredding and e-recycling are available on the city's website, [www.pelhamalabama.gov](http://www.pelhamalabama.gov).
5. Shelby County will host a Free Landfill Day at the Shelby County Landfill located at 401 Landfill Road on Highway 70 between Columbiana and Calera on Saturday, April 1, 2023 from 7:30 a.m. until 3:30 p.m. All participants must be unloaded and exited from the landfill by 3:30 p.m.
6. The Pelham City Council is accepting letters of interest and resumes through Wednesday, April 7th at 5:00 p.m. from those citizens who would like to be considered for an appointment to the Pelham Commercial Development Authority, Place 1, 2 and 5. Please submit all letters and resumes to Pelham City Clerk/Treasurer Tom Seale or email [tom@pelhamalabama.gov](mailto:tom@pelhamalabama.gov) prior to the deadline. The city clerk/treasurer will acknowledge receipt of the application by email.
7. The Pelham City Council is accepting letters of interest and resumes through Wednesday, April 12th at 5:00 p.m. from those citizens who would like to be considered for an appointment to a vacancy on the Pelham City Council, Place 2. Please submit all letters and resumes to Pelham City Clerk/Treasurer Tom Seale or email [tom@pelhamalabama.gov](mailto:tom@pelhamalabama.gov) prior to the deadline. The city clerk/treasurer will acknowledge receipt of the application by email.

ADJOURNMENT

With no other business before the council, Councilmember Coram 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 7:46 p.m.

Respectfully submitted this 7th of March 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

