



CITY COUNCIL MEETING MINUTES

Pelham Police & Court Building

March 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: March 20, 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 7:16 p.m. Mayor Waters 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 20, 2023 City Council Agenda
2. Approval of the March 7, 2023 Regular City Council Meeting Minutes
3. **Resolution 2023-03-20-01** having received no bids, consideration to approve a proposal from Total Mechanical Services, Inc. to replace the ice system at the Pelham Civic Complex & Ice Arena. This project was approved in the FY2023 budget.
4. **Resolution 2023-03-20-02** having received no bids, consideration to approve a proposal from Douglas Built, LLC for the Ballantrae Golf Club Clubhouse Improvements project and to amend the FY2023 Capital Projects Budget.
5. **Resolution 2023-03-20-03** for consideration to approve Summary Change Order No. 3 for the Oak Mountain Trail Project. This project was completed under budget.
6. **Resolution 2023-03-20-04** for consideration to approve a job description and pay ranges for the position of Event Sales and Membership Manager at Ballantrae Golf previously reviewed and approved by the Pelham Personnel Board which was budgeted in FY2023 and replaces an existing position.

- 7. **Resolution 2023-03-20-05** for consideration to approve a job description and pay ranges for the position of Food and Beverage Manager at Ballantrae Golf previously reviewed and approved by the Pelham Personnel Board which was budgeted in FY2023 and is a restructuring of an existing position.
- 8. **Resolution 2023-03-20-06** for consideration to approve a job description and pay ranges for the position of Recruiting Coordinator with the Pelham Human Resources Department previously reviewed and approved by the Pelham Personnel Board which was budgeted in FY2023 and is a restructuring of an existing position.
- 9. **Resolution 2023-03-20-07** for consideration to approve a job description and pay ranges for the position of Administrative Clerk with the department of Development Services & Public Works previously reviewed and approved by the Pelham Personnel Board which was budgeted in FY2023 as a new position.
- 10. **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. The First Reading was on March 7, 2023.

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 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 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)

Councilmember Coram moved to recess the city council meeting to hold public hearings 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 7:18 p.m.

Council President Mercer explained the purpose of the first public hearing is to consider adopting portions of the 2021 International Building and Fire Code and the International Property Maintenance Code, et al.

Council President Mercer announced the public hearing was in session regarding amending the Code of Ordinances of the City of Pelham as noted in proposed Ordinance No. 067-12. He further stated the city council would hear comments both for and against the consideration to amend the Code of Ordinances of the City of Pelham.

Speaking in favor of adopting Ordinance No. 067-12:

- Director of Development Services & Public Works Andre` Bittas stated city staff have reviewed the proposed Ordinance No. 067-12 and support its adoption.

Speaking against adopting Ordinance No. 067-12:

- None

Council President Mercer noted the public hearing to consider Ordinance No. 067-12 has now concluded.

Council President Mercer explained the purpose of the second public hearing is to consider an amendment to the zone district boundaries of the City of Pelham changing the present zoning R-1 (Single Family Residential District) and B-2 (General Business District) to P-MHP (Planned Manufactured Home Park) for property located 301 Green Park South, Pelham, Alabama 35124. (98.778 acres)

The applicant is FSI Green Park South Property, LLC, 7457 Franklin Road, Suite 300, Bloomfield Hills, Michigan 48301. The property owner is FSI Green Park South Property, LLC, 7457 Franklin Road, Suite 300, Bloomfield Hills, Michigan 48301

Council President Mercer announced the public hearing was in session regarding amending the Zoning Ordinance of the City of Pelham as noted in proposed Ordinance No. 135-254. He further stated the city council would hear comments both for and against the consideration to amend the Zoning Ordinance of the City of Pelham.

Speaking in favor of amending the Zoning Ordinance:

- Building Official Sherri Proctor stated the current zoning of the property is R-1 and B-2. She said the objective of the rezoning is to bring the manufactured home community into compliance. She noted several areas of non-compliance by the property owner. She stated the Pelham Planning Commission and city staff have reviewed the project and support the rezoning.
- Spenser Templeton with Simpson, McMahan, Glick & Burford, PLLC, attorney for FSI Green Park South, spoke in favor of the rezoning of the property. She stated this will allow for improvements to begin in the Green Park South and Southgate communities.
- City Attorney Josh Arnold spoke in support of the rezoning of subject property. He stated he is pleased with the outcome of the negotiations.

Speaking against amending the Zoning Ordinance:

- None

Council President Mercer noted the public hearing to consider Ordinance No. 135-254 has now concluded.

Council President Mercer called the March 20, 2023 City Council Meeting back to order at 7:35 p.m.

MAYOR'S REPORT/COMMENTS

Mayor Waters announced the appointment of Brent Sugg to the position of Police Chief for the City of Pelham. He stated, "the search drew qualified candidates from across the country, and we got the best of the best." Mayor Waters gave a brief employment history of Mr. Sugg.

Major Sugg began his law enforcement career in 1994 with the City of Norman, OK, where he served as a patrol officer for five years and worked as a domestic violence liaison with the DA's office, field training officer, and member of the department's tactical team before joining the Oklahoma Highway Patrol (OHP) as a Trooper.

While in the position of Trooper, Sugg served on the OHP's tactical and emergency response teams, and as a field training trooper.

In 2008, Sugg was promoted to Lieutenant and Patrol Supervisor where he held supervisory assignments in criminal investigations, the office of professional standards, and the training division. He also served as the Commandant of the 59th and 61st OHP academies.

Upon his promotion to Captain in 2013, Sugg was the Troop A Field Operations Commander. He was also the Commander of the Training Section for the OHP and the Department of Public Safety (DPS) where he was responsible for the OHP Academy for new troopers and all continuing education for the DPS. As Captain, he served as Commander of the Criminal Investigations Section, the Office of Professional Standards Division, and Emergency Services.

In accordance with Oklahoma state statute, the Chief of the OHP is appointed by the Commissioner of Public Safety, an appointment made by the Governor. In 2019, Sugg was appointed as the 28th Chief of the Oklahoma Highway Patrol by then-Commissioner John Scully. During his tenure as Chief, Sugg established operational policies and procedures, created legislation that promoted public safety, incorporated measures to streamline investigations, and managed the implementation of new technology.

When Commissioner Scully left office in 2021, Sugg was named as Major and Zone Commander, a position he holds today. He is the Command Staff member representing Patrol operations as well as mentors and develops Patrol Captains. He has served as Chair of the Chief's Review Board, and represents Patrol on promotional, testing, and command assessment boards.

Sugg holds a Bachelor of Science in Organizational Leadership, and a Master of Arts in Administrative Leadership from the University of Oklahoma. He is also a graduate of the 275th session of the FBI National Academy in Quantico, Virginia.

Mayor Waters stated Major Sugg will assume the position as Pelham's new police chief on April 19, 2023.

Mayor Waters requested the city council add Resolution 2023-03-20-11 to the March 20, 2023 agenda affirming his appointment of Major Sugg as the Pelham Police Chief.

Councilmember Wash moved that Resolution 2023-03-20-11 be added to the March 20, 2023 city council agenda. Councilmember Coram seconded the motion.

There being no further discussion, the motion to add Resolution 2023-03-20-11 to the March 20, 2023 city council agenda passed unanimously by voice vote of those members present and the council president declared the same passed.

Council President Mercer commended all those involved with the police chief recruiting process.

PROCLAMATION(S) AND RESOLUTION(S) BY THE MAYOR AND OTHERS

Mayor Waters introduced and read in its entirety a proclamation honoring retiring Councilmember Larry Palmer for his many years of dedicated service to the City of Pelham.

REPORT OF THE CITY MANAGER

City Manager Gretchen DiFante made the following comments.

- Thanked the residents, members of the public and business community who participated in the police chief interview and hiring process.
- Announced Katie Augsburg as the new Pelham Senior Center Recreation Coordinator and Grant Sasser's new position as Parks & Racquet Club Superintendent.
- Stated Ballantrae Golf Club and Pelham Racquet Club are working with Pelham youth to introduce the students to golf and tennis.
- Interim Executive Director John Hughes, VenuWorks, announced an extensive search was conducted to replace Steve St. John as the Executive Director at the Pelham Civic Complex & Ice Arena. He said VenuWorks met with the city manager and staff during the search. Mr. Hughes announced Seth Greenberg has accepted the position starting April 2. City Manager DiFante thanked Mr. Hughes for serving as the Interim Executive Director.
- Announced Fire Chief Mike Reid has named Wayne Weaver as the city's new battalion chief.

REPORT OF THE CITY ATTORNEY – None

REQUEST(S) TO ADDRESS THE COUNCIL

Janell Sierra, Executive Director of SafeHouse of Shelby County, addressed the city council. She gave a brief overview of the programs available to their clients. She thanked the Pelham City Council for their continuing support. She mentioned SafeHouse having assisted 43 Pelham residents over the past year.

OLD 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 introduced and 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.

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Resolution 2023-03-20-08** for consideration to authorize an increase in the base pay compensation for the Pelham City Manager per the Employment Agreement retroactive to November 16, 2022 was introduced by Council President Mercer.

Councilmember Lanier moved to adopt Resolution 2023-03-20-08 and Councilmember Wash seconded the motion.

Councilmember Lanier thanked City Manager Gretchen DiFante for her leadership, putting policies and procedures in place and dedicated service to the City of Pelham. Council President Mercer concurred with the comments of Councilmember Lanier.

There being no further discussion, the motion to adopt Resolution 2023-03-20-08 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

2. **Resolution 2023-03-20-09** for consideration to approve a purchase with Jerry Pate Turf & Irrigation for a Ventrac tractor and accessories and amend the Parks & Recreation FY2023 budget was introduced by Council President Mercer.

Councilmember Palmer moved to adopt Resolution 2023-03-20-09 and Councilmember Coram seconded the motion.

There being no further discussion, the motion to adopt Resolution 2023-03-20-09 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

3. **Ordinance No. 135-254** an amendment to the zone district boundaries of the City of Pelham changing the present zoning R-1 (Single Family 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), was introduced and read in its entirety by Council President Mercer as a First Reading.

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

He stated a complete text of Ordinance No. 135-254 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.

4. **Resolution 2023-03-20-10** for consideration of an ABC license request for a 150 Special Retail License – 30 Days or Less for applicant Legends Music, LLC located at 1000 Amphitheater Road, Pelham, Alabama 35124 operating under the trade name Oak Mountain Spring Fair 2023 was introduced by Council President Mercer.

Councilmember Palmer moved to adopt Resolution 2023-03-20-10 and Councilmember Coram seconded the motion.

There being no further discussion, the motion to adopt Resolution 2023-03-20-10 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

5. Resolution 2023-03-20-11 for consideration to affirm the Mayor's appointment of Brent Sugg as police chief of the City of Pelham was introduced by Council President Mercer.

Resolution 2023-03-20-11 was added to the March 20, 2023 by city council action.

Councilmember Wash moved to adopt Resolution 2023-03-20-11 and Councilmember Lanier seconded the motion.

There being no further discussion, the motion to adopt Resolution 2023-03-20-11 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.

There were no public comments.

COUNCIL COMMENTS

Councilmember Coram thanked Acting Police Chief Lt. James Grier and retiring Councilmember Larry Palmer for their service to the city.

Councilmember Wash noted Councilmember Palmer was a reserve when he was hired in 1984. He said they rode together while on patrol. He stated Councilmember Palmer would be missed.

Councilmember Lanier thanked Chad Leverett and the Walk of Prayer. She thanked Director of Development Services & Public Works Andre` Bittas and staff for bringing updated Ordinance No. 067-12 to the city council for review and adoption. She noted the importance of the life and safety provisions contained in the ordinance. Councilmember Lanier thanked retiring Councilmember Palmer for his service to Pelham and wished him well.

Council President Mercer thanked the Library staff for the Taste of Pelham. He said everyone did a great job. He thanked Lt. James Grier for stepping in as interim police chief. Council President Mercer thanked retiring Councilmember Palmer for his dedicated service and the opportunity to have worked with him as a councilmember. He said Councilmember Palmer would be missed.

PUBLIC ANNOUNCEMENTS

1. 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.
2. 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.
3. The April 3, 2023 work session and council meeting will be held in the Council Chambers at Pelham City Hall

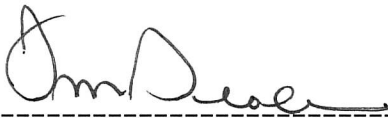
4. The Pelham City Council is accepting letters of interest and resumes through Wednesday, April 7th at 5:00 p.m. from those citizens who would like to be considered for an appointment to the Pelham Commercial Development Authority, Place 1, 2 and 5. Please submit all letters and resumes to Pelham City Clerk/Treasurer Tom Seale or email tom@pelhamalabama.gov prior to the deadline. The city clerk/treasurer will acknowledge receipt of the application by email.
5. 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 prior to the deadline. The city clerk/treasurer will acknowledge receipt of the application by email.

Council President Mercer announced there will be a reception in the Court Lobby immediately following tonight's Council Meeting honoring retiring Councilmember Larry Palmer.

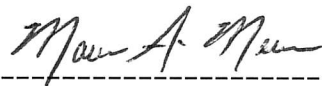
ADJOURNMENT

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 8:04 p.m.

Respectfully submitted this 20th day of March 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

