



CITY COUNCIL WORK SESSION MINUTES

Pelham City Hall
Council Conference Room
May 15, 2023 – 4:00 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, May 15, 2023, at 4:00 p.m. The regular work session was held in the Council Conference Room at Pelham City Hall and was open to the public.

Call to Order

The work session was called to order by Council President Mercer at 4:00 p.m.

Record of Attendance

The following elected officials were present:

Council President Maurice Mercer
Councilmember David Coram
Councilmember Rick Wash
Councilmember Mildred Lanier
Mayor Gary Waters

The city clerk/treasurer recorded the attendance of the elected officials and announced a quorum was present. City Manager Gretchen DiFante and City Attorney Grace Graham were 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 May 1, 2023 Regular Work Session Minutes.

The motion was seconded by Councilmember Lanier.

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

Executive Session

Council President Mercer stated for the record the purpose of the Executive Session is to discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property, per Section 36-25A-7(6) 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(6) and Code of Alabama 1975, as amended.

A motion was made by Councilmember Wash to enter an Executive Session of the city council for the stated purpose. Said motion was seconded by Councilmember Coram. 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>
Rick Wash, Council Member	<u>Yes</u>
Mildred Lanier, Council Member	<u>Yes</u>

Council President Mercer asked the members of the city council, Mayor Waters, City Manager Gretchen DiFante, City Attorney Grace Graham, Economic development Director Michael Simon, Director of Development Services & Public Works Andre` Bittas 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 4:15 p.m.

Councilmember Coram moved to adjourn the Executive Session. Said motion was seconded by Councilmember Wash. The motion passed unanimously by voice vote of those members present and the Executive Session was adjourned at 4:27 p.m.

Council President Mercer called the work session back to order at 4:28 p.m.

Request to Address the City Council – None

Old Business

1. Discussion - Proposed Water Rate Structure

Director of Development Services & Public Works Andre` Bittas and Acting City Engineer Chris Cousins presented the modified Water Rate Study to the city council. Mr. Cousins reviewed the water rate study as requested by the city council. He explained the current sewer rate structure was adopted in 2014. The city council discussed a gradual water rate increase over several years. It was the consensus of the city council to move forward with the proposed rate and fee increase for the June 5, 2023 agenda.

Councilmember Wash asked Mr. Bittas and Mr. Cousins to contact the contractor responsible for the water main replacements. It was noted several streets need repairs.

2. Presentation – Sewer Rate Structure

See above comments.

3. Discussion – Rescheduling 2023 work sessions and council meetings due to calendar scheduling conflicts on July 3rd and September 4th.

Council President Mercer noted several scheduling conflicts with council work sessions and council meetings in the coming months. Those dates include *Fire on the Water*, Monday, July 3rd and Labor Day, Monday, September 4th. Council President Mercer asked the city council to review their calendars to consider rescheduling these meetings on a different date.

It was the consensus of the city council to move the July work sessions and council meetings to July 10th and July 24th and the September 4th work session and council meeting to September 5th.

New Business

1. Discussion – FY2024 Budget Workshop Schedule

City Manager Gretchen DiFante discussed proposed dates for the city council's FY2024 budget workshops. The city council reviewed possible dates. It was the consensus of the city council to set the dates for the budget workshops during the June 5th work session.

2. Discussion – Reappointments & Appointments to the Pelham Commercial Development Authority (CDA)

Council President Mercer stated there was a tie vote in the evaluation of the candidates for appointment to Place No. 5 on the CDA. Each councilmember had previously spoken to the strengths and qualifications of candidates Edna Felton and Jessica Porterfield. The city council had requested a second interview for the candidates.

It was noted the candidates were asked to have prepared answers to the following questions:

- How have you been involved in the Pelham community?
- How do you plan to move Pelham forward?

Edna Felton and Jessica Porterfield were interviewed by the city council.

A motion was made by Councilmember Lanier to forward the names to reappoint Tim German to Place No. 1 and Roberto Rodriguez to Place No. 2 and to appoint Edna Felton to the unexpired term of Place No. 5 on the CDA to the city council for consideration. The motion was seconded by Councilmember Coram. There being no further discussion the motion to consider appointing Mr. German, Mr. Rodriguez, and Ms. Felton to the CDA passed by a majority voice vote of the city council.

3. Discussion – Reappointments to the Pelham Board of Adjustment & Appeals

Council President Mercer stated there are currently two vacancies and three expired terms on the Pelham Board of Adjustment & Appeals. He said those members currently in the expired places have indicated to

the city clerk/treasurer of their desire to be reappointed for another term. The following citizens were interviewed by the city council for consideration to be reappointed.

- A. Andy Burell
- B. Jeff Hulon
- C. Stephanie Pryor

4. Discussion – Special Economic Agreement (Racquet Club Corners)

Thom Hickman, Vice President Development/Broker with Harbert Realty Services, briefly reviewed the development plan regarding proposed incentives. Economic Development Director Michael Simon discussed the specific items in the incentive plan.

Mr. Hickman suggested the city council approve a memorandum of understanding by June 5, 2023 and a development agreement 60-90 days later. Construction would begin in the November-December timeframe. Members of the city council expressed their concerns with the terms of the proposed development agreement. Mr. Bittas stated he has not spoken directly with the Shelby County Highway Department regarding the required improvements to Shelby County Highway 52E.

It was the consensus of the city council they would like to see the site developed.

Review of May 15, 2023 City Council Agenda

Council President Mercer reviewed the May 15, 2023 city council agenda.

- E. Resolution 2023-05-15-01 for consideration to elect Chad Leverett to the unexpired term on the Pelham City Council Place No. 2 with the term of office expiring on November 3, 2025
- F. Oath of Office – Chad Leverett, Pelham City Council Place No. 2
- G. 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 May 15, 2023 City Council Agenda
- 2. Approval of the May 1, Regular Council Meeting Minutes
- 3. **Resolution 2023-05-15-02** for consideration as a part of the mid-year review to authorize the amending of the city's FY2023 operating, and capital projects budgets as referenced and detailed in attached Exhibit A

There were no questions or comments from the city council.

4. **Resolution 2023-05-15-03** for consideration to appoint Mike Eddington as City Engineer for the City of Pelham

Director of Development Services & Public Works Andre` Bittas requested the city council appoint Mike Eddington as City Engineer. He noted Chris Cousins was appointed Acting City Engineer by the city council. Mr. Bittas reviewed Mr. Eddington's employment history. Mr. Eddington addressed the city council and stated he looks forward to working for the best interests of Pelham. Mr. Bittas thanked Mr. Cousins for his service to the city.

5. **Resolution 2023-05-15-04** for consideration to accept the annual Municipal Water Pollution Prevention (MWPP) Program Report prepared by Municipal Consultants, Inc.

Acting City Engineer Chris Cousins stated this is an annual report concerning the status of the sewer plant and collection system. He stated the city scored 70 of 783 points, with 0 being the best possible score and 783 being the worst.

6. **Resolution 2023-05-15-05** for consideration to enter into agreements for construction of restrooms for the Splash Pad at City Park. This work was budgeted for FY2023 during the mid-year review.

Director of Development Services & Public Works Andre` Bittas stated a restroom and mechanical room are required to be constructed. He said construction has already begun and the site will be ready to install the equipment. Mr. Bittas said the construction schedule would be updated as information is received from the contractor.

7. **Resolution 2023-05-15-06** for consideration to approve a quote for installation of shade structures for the splash pad at City Park. This project was budgeted in FY2023.

Director of Development Services & Public Works Andre` Bittas stated the shade structures would be like those at the dog park.

8. **Resolution 2023-05-15-07** for consideration to approve a revised professional services agreement with Barrett Architecture Studio, LLC of interior renovations at the Pelham Racquet Club. This project was budgeted in FY2023.

Director of Development Services & Public Works Andre` Bittas stated a request was made to include a storage area, and renovations to the locker rooms and restrooms. He stated the contract is for design services. City Manager Gretchen DiFante stated funding for the renovation project would be included in the FY2024 budget.

9. **Resolution 2023-05-15-08** for consideration to approve the expenditure of emergency reserves related to critical repairs to the ice chiller and the addition of R22 refrigerant at the Pelham Civic Complex & Ice Arena

Director of Development Services & Public Works Andre` Bittas said he received a call from Seth Greenberg, Executive Director of the Pelham Civic Complex & Ice Arena, regarding the ice chiller. A small

leak was discovered and repaired. The funds are for repairs and R22 refrigerant. City Manager DiFante stated the system is being actively managed to reduce utility costs. She further stated the ice has been removed in the main arena until hockey season begins this fall. Mr. Bittas updated the city council on the installation of the new ice chiller. He stated the project should be completed by July 2024.

10. **Resolution 2023-05-15-09** for consideration to adopt the City of Pelham Highway 31 and 119 Corridor Redevelopment Plan Update 2023

Economic Development Director Michael Simon discussed the Redevelopment Zone revisions approved by the city council in October 2022. Mr. Simon discussed the possibility of expanding the Redevelopment Zone to include Alabama Highway 119 as recommended by the Pelham Commercial Development Authority (CDA).

There were no further questions or comments from the city council.

11. **Resolution 2023-05-15-10** for consideration to authorize the cancellation of a sales contract conveying real property to Mark Byers or Assigns located at 1297 Shelby County Highway 52E and the release of earnest money (Old Fire Station No. 3)

Economic Development Director Michael Simon stated having been contacted by the potential buyer on May 11, 2023 requesting the cancellation of the sales contract and the release of the earnest money.

There were no further questions or comments from the city council.

12. **Resolution 2023-05-15-11** for consideration to reappoint two (2) members to the Pelham Commercial Development Authority (CDA) and one (1) member to fill an unexpired term of office.

There were no further questions or comments from the city council.

13. **Resolution 2023-05-15-12** for consideration to reappoint three (3) members to the Pelham Board of Adjustment and Appeals

There were no further questions or comments from the city council.

H. Public Hearing(s) – None

I. Mayor's Comments

J. Proclamation(s) by the Mayor and Others – None

K. Report of the City Manager

L. Report of the City Attorney

M. Request(s) to Address the Council – None

N. Old Business / Resolutions / Ordinances / Orders and Other Business – None

O. New Business / Resolutions / Ordinances / Orders and Other Business

1. **Resolution 2023-05-15-13** for consideration to adopt the city's Civility and Cooperative Leadership Pledge

Council President Mercer stated Resolution 2023-05-15-13 is on the agenda to give Mr. Leverett an opportunity to voice his support of the city's Civility and Cooperative Leadership Pledge.

(End of May 15, 2023 Agenda Review)

City Manager Comments

- The Leadership Retreat is scheduled for June 12th at either Campus No. 124 or the Pelham Civic Complex & Ice Arena.
- Stated replacing the Christmas lights (snowflakes) is an investment. The city council was asked to consider key intersections and specific locations to install the new Christmas decorations until the Highway 31 relighting project is completed. She said Christmas decorations are important to the citizens and the businesses. City staff needs options and direction from the city council to move forward.

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 6:55 p.m.

Respectfully submitted this 15th day of May 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

