



CITY COUNCIL WORK SESSION MINUTES

Pelham City Hall
Council Conference Room
June 5, 2023 – 5:00 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, June 5, 2023, at 5:00 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 5:02 p.m.

Record of Attendance

The following elected officials were present:

Council President Maurice Mercer
Councilmember Chad Leverett
Councilmember Rick Wash
Councilmember Mildred Lanier
Mayor Gary Waters

The following elected official(s) were not present:

Councilmember David Coram

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.

Media Present: None

Others Present: City department heads, city employees, and members of the public.

Approval of Minutes

A motion was made by Councilmember Wash to approve the May 15, 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 legal ramifications of and legal options for pending litigation, controversies not yet being litigated, but imminently likely to be litigated if the governmental body pursues a proposed course of action under Section 36-25A-7(3)(a), Code of Alabama 1975, as amended.

City Attorney Josh Arnold stated the purpose of tonight's Executive Session is appropriate under Section 36-25A-7(3)(a) Code of Alabama 1975, as amended.

A motion was made by Councilmember Lanier to enter an Executive Session of the city council for the stated purpose. Said motion was seconded by Councilmember Leverett. 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>Not Present</u>
Chad Leverett, 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 Josh Arnold, Victoria Perry (Legal Intern) with Wallace/Ellis and IT Director Chuck Crocker, and City Clerk/Treasurer Tom Seale to attend the Executive Session in the Council Conference Room. Council President Mercer stated he expects the city council to return from the Executive Session in approximately 15 minutes. The city council went into Executive Session at 5:04 p.m.

Councilmember Wash moved to adjourn the Executive Session. Said motion was seconded by Councilmember Leverett. The motion passed unanimously by voice vote of those members present and the Executive Session was adjourned at 5:22 p.m.

Council President Mercer called the work session back to order at 5:23 p.m.

Request to Address the City Council – None

Old Business

1. Discussion – FY2024 Budget Workshop Dates

City Manager Gretchen DiFante discussed proposed dates for the city council's FY2024 budget workshop. The city council reviewed possible dates. She stated the time needed for the budget meetings is approximately 16 hours for the department presentations. Council President Mercer asked the city council

to review specific dates for the budget workshop. He asked Assistant to the City Manager Brooke Jenkins to send out a Doodle scheduling survey to the city council.

New Business

1. Discussion – Appointment to the Pelham Parks & Recreation Advisory Board

Council President Mercer noted Kevin Washburn's term on the Pelham Parks & Recreation Advisory Board will end on September 30, 2023. Mr. Washburn has indicated he does not want to be reappointed. Council President Mercer stated Jessica Porterfield, who recently interviewed for a position on the Pelham Commercial Development Authority Board, has expressed an interest to the city clerk/treasurer for an appointment to the Pelham Parks & Recreation Advisory Board. The city clerk/treasurer was asked to prepare a resolution appointing Mrs. Porterfield to the Parks & Recreation Advisory Board effective October 1, 2023. Parks & Recreation Director Brian Cooper updated the city council on board reappointments and the student position.

2. Discussion – Appointments to the Pelham Board of Adjustment & Appeals

City Clerk/Treasurer Tom Seale stated having received a letter of interest from Eden Roy regarding an appointment to the Pelham Board of Adjustment & Appeals. Council President Mercer asked the city council if they would like to interview Ms. Roy. The city clerk/treasurer was asked to contact Ms. Roy and set a time and time for an interview. Council President Mercer asked that the remaining vacancy on the Pelham Board of Adjustment & Appeals be advertised for an additional 30 days.

3. Discussion – Parks & Recreation Amenity Dedication Policy

City Manager DiFante gave a brief overview of the proposed Amenity Dedication Policy. Parks & Recreation Director Brian Cooper outlined the Parks & Recreation Amenity Dedication Policy and the need to adopt guidelines. Council President Mercer and Councilmember Lanier spoke in favor of the policy. Council President Mercer asked the city clerk/treasurer to prepare a resolution for the June 20, 2023 meeting to consider adopting the Parks & Recreation Amenity Dedication Policy.

4. Discussion – Pelham City Hall Open House

City Manager Gretchen DiFante outlined potential dates for the City Hall open house. It was the consensus of the city council to hold a City Hall Open House on June 22, 2023 from 6:00 p.m. until 8:00 p.m. with June 29, 2023 as an alternate date. The June 22, 2023 date was confirmed later in the Work Session.

Review of June 5, 2023 City Council Agenda

Council President Mercer reviewed the June 5, 2023 city council agenda.

E. 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 June 5, 2023 City Council Agenda
2. Approval of the May 15, Regular Council Meeting Minutes
3. **Resolution 2023-06-05-01** for consideration to approve the purchase of 88 utility pole-mounted Christmas decorations, shipping, engineering, and installation at various locations within the city and to amend the Mayor's FY2023 budget. This project is not budgeted in FY2023.

City Manager Gretchen DiFante stated the goal is to purchase utility pole-mounted Christmas decorations, including shipping and installation, in an amount not to exceed \$150,000.00. She said the decorations need to be ordered by June 14, 2023 to secure an October 2023 delivery date. The consensus of the city council was to purchase Option 1 and move forward with placing the order. Director of Development Services & Public Works Andre` Bittas stated having identified the highway intersections to install the new decorations. He stated consideration would be given to the relighting of Highway 31 and 119 when installing the decorations. He further stated utility poles that are to be replaced would not have the new decorations installed. City Manager DiFante said the city council will be updated as the project proceeds.

4. **Resolution 2023-06-05-02** for consideration to accept a donation of real property from Campus No. 124

Director of Economic Development Michael Simon said the resolution is to accept a donation of real property from Campus No. 124. He stated the property has no value or use to the current owner. The donation would allow the city to expand the Campus No. 124 recreation park currently under construction.

5. **Resolution 2023-06-05-03** for consideration to approve the city's release of real property located at Campus No. 124

Director of Economic Development Michael Simon stated in Article 6 of the Campus No. 124 purchase and development contract, the city required a certain level of investment in order to release the right of first refusal on a parcel of property. He stated the expense of \$3 million has been exceeded and Campus No. 124 is requesting the city release their right of first refusal on the property under discussion. The city council had no additional questions or concerns. It was noted if the property is sold by Campus No. 124 the new owner would have to meet the overlay district requirements.

6. **Resolution 2023-06-05-04** for consideration to approve a three-year lease agreement with DLL Finance, LLC, and Jerry Pate Turf & Irrigation for two (2) greens mowers for Ballantrae Golf Club. This lease expense was budgeted in FY2023.

Ballantrae Golf Club General Manager Hal Brown stated Resolution 2023-06-05-04 is a lease renewal for two new greens mowers for Ballantrae Golf Club. Mr. Brown said he has been pleased with the lease agreements over the years.

7. **Resolution 2023-06-05-05** for consideration enter into a public works contract with GameTime to provide and install a swing set at Coker Park as a part of the Improvements Project. This project was budgeted in FY2023.

Parks & Recreation Director Brian Cooper stated the park improvement plan continues to be reviewed. He said the swing set at Coker Park needs replacing and recommends approval of the resolution. He said there are drainage issues which will be addressed prior to the installation of the new swing set. He updated the city council on programs at City Park this summer.

8. **Resolution 2023-06-05-06** for consideration to approve a job description and pay ranges for a new position of Lead Well Operator within the department of Development Services & Public Works previously reviewed and approved by the Pelham Personnel Board which was budgeted in FY2023.

Director of Development Services & Public Works Andre` Bittas explained the organizational structure of the Pelham Water Department and the need for this position and the accompanying compensation. City Manager DiFante noted the difficulty in recruiting for this position.

9. **Resolution 2023-06-05-07** for consideration to approve a job description and pay ranges for the current inactive position of Field Manager within the department of Development Services & Public Works previously reviewed and approved by the Pelham Personnel Board which was budgeted in FY2023.

Director of Development Services & Public Works Andre` Bittas stated this is a restructuring of a current inactive position on the water delivery side of the Water Department. He said the position is for the management of the Water Department field crews.

10. **Resolution 2023-06-05-08** for consideration accept the lowest and most responsible bid from Tecta America Southeast, LLC for replacement of the roof at the Police & Court Building. This project was budgeted in FY2023.

There were no questions or comments from the city council.

11. **Resolution 2023-06-05-09** for consideration to enter into a public works contract with E4 Steel Truss, LLC to manufacture and install pole barn structures to cover the existing batting cages at City Park. This project was budgeted in FY2023.

Parks & Recreation Director Brian Cooper stated the pole barn will cover three of the four batting cages.

12. **Resolution 2023-06-05-10** for consideration to accept responsibility for the electrical bill only for one (1) new streetlight at the intersection of Crosscreek Trail and Valleyview Drive

Director of Development Services & Public Works Andre` Bittas stated a request has been received for the installation of the new streetlight and the city will be responsible for only the electrical expense.

13. **Resolution 2023-06-05-11** for consideration to accept responsibility for the electrical bill only for one (1) new streetlight on Bent Creek Drive at Shelby County Highway No. 36

Director of Development Services & Public Works Andre` Bittas stated a request has been received for the installation of the new streetlight and the city will be responsible for only the electrical expense.

14. **Resolution 2023-06-05-12** for consideration to approve the final invoice for the remodel of the shower/bathroom at Fire Station No. 5 from The Plumbing Crew and to amend the FY2023 project budget for additional work performed.

Director of Development Services & Public Works Andre` Bittas stated during renovations to Fire Station No. 5 the bathroom vanities had to be replaced requiring a budget amendment.

15. **Resolution 2023-06-05-13** authorizing the release of street bond money and accepting the dedication of certain public streets(s) and rights-of-way located in the Ballantrae Subdivision Dunrobin 1 (Dunrobin Lane) previously approved by the Pelham Planning Commission

Director of Development Services & Public Works Andre` Bittas and City Engineer Mike Eddington stated the developer has completed the paving project. They further stated the Pelham Planning Commission recommended the city accept the dedication of the street, rights-of-way and release the paving bond money.

16. **Resolution 2023-06-05-14** for consideration to authorize an additional professional services contract to provide land planning and conceptual design services for the Blueberry Hill Master Plan. This project was budgeted in FY2023.

Director of Development Services & Public Works Andre` Bittas stated Gonzalez-Strength & Associates has been requested to perform additional work to determine the cost to improve the Blueberry Hill site for construction.

17. **Resolution 2023-06-05-15** for consideration to approve a public works contract with Tren-Tay, Inc. for the installation of a sanitary sewer lateral to serve the Splash Pad at City Park. This project was budgeted in FY2023.

Director of Development Services & Public Works Andre` Bittas stated this is a service line to serve the new Splash Pad at City Park.

18. **Resolution 2023-06-05-16** for consideration to authorize the acceptance of a United States Department of Homeland Security Grant and amend the FY2023 Fire Department Budget

Fire Chief Mike Reid stated the Fire Department had applied for and received a HazMat grant to purchase equipment. He further stated the purchases are 100% reimbursable through the grant.

19. **Resolution 2023-06-05-17** for consideration to declare certain item(s) of personal property (Fire) of the City of Pelham which are no longer needed for public or municipal purposes as surplus and sell said personal property "as is and where is" to the Bleckley County, Georgia Fire Department

Fire Chief Mike Reid stated the city received an offer to purchase a reserve 2001 fire pumper. He recommended the city accept the offer from the Bleckley County, Georgia Fire Department in the amount of \$35,000.00. He stated the city has received an invoice from Brindlee Mountain Fire Apparatus for marketing and the commission on the sale of the fire pumper in the amount of \$3,500.00.

F. Public Hearing(s) – None

G. Mayor's Comments

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

I. Report of the City Manager

J. Report of the City Attorney

K. Request(s) to Address the Council

Jeff Wilcox, Spire's Manager of Right of Way Permitting, presentation of the Silver Shovel Award to the City of Pelham

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

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

1. **Ordinance No. 091-04** to consideration to adjust water rates for residential and commercial customers effective October 1, 2023. **(First Reading)**

Director of Development Services & Public Works Andre` Bittas stated the ordinance is for the city council to consider a rate adjustment for residential and commercial customers effective October 1, 2023. He explained the revised bracketing which would be implemented over the next several years. He stated future increases will be tied to the annual Consumer Price Index as determined by the United States Bureau of Labor Statistics. Mr. Bittas explained the rate adjustments will allow the Water Department to remain solvent and build reserves for system improvements and upgrades. Chris Cousins, Municipal Consultants, Inc., the city's utility consulting engineer, stated Pelham's water rates are significantly less than any surrounding municipal water systems. Councilmember Leverett proposed an option to the water rate adjustment. He noted not having had an opportunity to discuss his thoughts prior to his appointment to the city council.

2. **Ordinance No. 156-09** for consideration to adjust sewer rates for customers effective October 1, 2023 **(First Reading)**

Director of Development Services & Public Works Andre` Bittas stated Ordinance No. 156-09 is not a rate increase but ties future adjustments to the Consumer Price Index.

Considering Councilmember Leverett's comments regarding an option to the proposed rate adjustments, a motion was made by Councilmember Wash to remove Ordinance No. 091-04 from the June 5, 2023 city council agenda to allow for an additional review of the water rate adjustment options. Said motion was seconded by Councilmember Lanier.

Director of Development Services & Public Works Andre` Bittas stated he will send revised water rate adjustment options to the city council for review prior to the June 20th meeting.

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

It was noted since Ordinance No. 091-04 has been removed from the agenda, the city council discussed removing Ordinance No. 156-09 from the June 5, 2023 city council agenda.

A motion was made by Councilmember Lanier to remove Ordinance No. 156-09 from the June 5, 2023 city council agenda to allow for an additional review of the water rate adjustment options and its potential effect, if any, on the sewer rates. Said motion was seconded by Councilmember Wash.

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

Council President Mercer announced Ordinance No. 091-04 and Ordinance No. 156-09 will likely be considered by the city council at a future city council meeting.

(End of June 5, 2023 Agenda Review)

Adjournment

A motion to adjourn the work session was made by Councilmember Lanier and seconded by Councilmember Leverett. The motion passed unanimously by voice vote of those members present and the work session was adjourned at 6:45 p.m.

Respectfully submitted this 5th day of June 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

