



CITY COUNCIL WORK SESSION MINUTES

Pelham City Hall
Council Chambers – Conference Room
April 3, 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, April 3, 2023, at 4:00 p.m. The regular work session was held in the Pelham Council Chambers – 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 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 March 20, 2023 Regular Work Session Minutes.

The motion was seconded by Councilmember Coram.

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, provided, however, that the material terms of any contract to purchase, exchange, or lease real property shall be disclosed in the public portion of a meeting prior to the execution of the contract as defined in Section 36-25A-7(6)(a), and to discuss preliminary negotiations involving matters of trade or commerce in which the governmental body is in competition with private individuals or entities or other governmental bodies in Alabama or in other states or foreign nations or to discuss matters or information of the character defined or described in the Alabama Trade Secrets Act as defined in Section 36-25A-7(7)(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(6)(a) and Section 36-25A-7(7)(a), Code of Alabama 1975, as amended.

A motion was made by Councilmember Coram to enter an Executive Session of the city council for the stated purpose. Said motion was seconded by Councilmember Lanier. 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 Josh Arnold, Director of Economic Development 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 30 minutes. The city council went into Executive Session at 4:03 p.m.

Councilmember Coram moved to adjourn the Executive Session. Said motion was seconded by Councilmember Lanier. The motion passed unanimously by voice vote of those members present and the Executive Session was adjourned at 4:54 p.m.

Council President Mercer called the work session back to order at 4:56 p.m.

Request to Address the City Council – None

Old Business

1. Discussion - Appointment to the Pelham Board of Education Place No. 5

The city council noted the quality of candidates for the position. Council President Mercer announced candidate Jeff Adams received the most support in the evaluations for the Pelham Board of Education

Place No. 5. by the city council. A motion was made by Councilmember Lanier to recommend the appointment of Jeff Adams to the unexpired term of Place No. 5 and the full term beginning in June 2023. Said motion was seconded by Councilmember Coram. There be no further discussion the motion passed by a unanimous voice vote of those members present. Mr. Adams' name will be added to Resolution 2023-04-03-06 and Resolution 2023-04-03-07 on the April 3, 2023 city council agenda for consideration to appoint him to the Pelham Board of Education Place No. 5 position.

New Business

1. Presentation – FY2022 Financial Audit/Statements by Truitt Tingle Paramore & Argent, LLC., Certified Public Accountants

Finance Director Jamie Wagner introduced Patrick Bowman, CPA, and Spencer Wise, CPA, with Truitt Tingle Paramore & Argent, LLC, (TTPA), the city's external auditing firm. Mr. Bowman addressed the city council and presented the city's FY2022 draft financial statements. He thanked the city staff for their prompt response and overall helpfulness during the audit. Mr. Bowman stated the audit was given an unmodified opinion in accordance with generally accepted accounting practices. Mr. Bowman reviewed the current financial position of the city. He said the audit team did not encounter any issues. Mr. Bowman continued to review highlights of the FY2022 financial statements. Members of the city council asked several questions with respect to the audit. Mrs. Wagner asked the city council to forward any questions about the FY2022 audit to her attention.

2. Discussion – ABC license application for a 010 – Lounge Retail Liquor – Class 1 license request for applicant Bad Boy Toys, Inc. operating under the trade name Bad Boy Toyz Pitstop located at 983 Yeager Parkway, Pelham, Alabama 35124

Councilmember Coram stated having visited the location of the applicant on Friday. He gave a brief background of the business. Steve Krubinski, representing Bad Boy Toys, Inc., operating as Bad Boy Toyz Pitstop, addressed the city council. He gave a brief history of his business and his plans to open a bar at 983 Yeager Parkway, Suite A, Pelham, Alabama 35124. Council President Mercer stated the ABC liquor license request would be placed on a future city council agenda. He further stated Councilmember Coram or City Clerk/Treasurer Tom Seale would be reaching out to him should there be any questions from the city council.

3. Update – Water Main/PVC Replacement Project

Director of Development Services & Public Works Andre` Bittas addressed the city council with an update on the water main/PVC replacement project. He reviewed the past level of funding and stated the original replacement project would have taken 19 years to complete. He said the 2021 bond funding will significantly reduce the timeline on completing the replacement project. Acting City Engineer Chris Cousins gave an overview of the PVC replacement project. He said the city has approximately 250 miles of water main pipe, which 19 miles were Class 160 PVC pipe. He stated there is approximately seven miles of PVC pipe remaining to be replaced. Mr. Bittas discussed the ongoing funding of the PVC replacement project. He mentioned there maybe grant opportunities from the state. The city council stated the importance in maintaining excellent customer service during the replacement project. City Manager DiFante noted the importance in maintaining an effective water rate structure. She stated Mr. Bittas and Mr. Cousins would be presenting a water rate study at a future work session.

4. Discussion - Strategic Visioning Retreat

City Manager Gretchen DiFante introduced Krisa de la Cruz with Strategic Government Resource. Ms. de la Cruz joined the meeting via Zoom and outlined a proposed one-day city council and department head retreat. She explained the process of developing an agenda and long-term vision planning.

Review of April 3, 2023 City Council Agenda

Council President Mercer reviewed the April 3, 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 April 3, 2023 City Council Agenda
2. Approval of the March 20, 2023 Regular Council Meeting Minutes and the March 27, 2023 Special Council Meeting Minutes
3. **Resolution 2023-04-03-01** for consideration to enter into a marketing agreement with WBRC Fox 6 to secure the title sponsorship in WBRC FOX 6's *Summer Staycation* campaign from May 26, 2023 through July 28, 2023. Funding was approved in the FY2023 budget.

Communications and Branding Manager Ainsley Allison stated the marketing campaign in 2022 was extremely successful. She said WBRC has offered the city the opportunity to continue to be the title sponsor as long as the city wishes. She noted Discover Shelby will be partnering with the city in 2023. She said the goal is to attract and maintain new users. The city council spoke in support in continuing as the title sponsor.

4. **Resolution 2023-04-03-02** for consideration of ABC license requests (No Alcohol Outside of Licensed Area and No to Go Sales) for applicant Margarita Grill, LLC located at 234 Cahaba Valley Road, Pelham, Alabama 35124 operating under various trade names for events to be held in 2023.

Councilmember Coram stated these are annual events hosted by Margarita Grill. He said there were no issues or concerns regarding the ABC liquor license requests.

5. **Resolution 2023-04-03-03** for consideration to approve a public works contract with Temperature Pro to remove and replace the existing 15-ton condensing unit at Ballantrae Golf Club. Funding was approved in the FY2023 budget.

Director of Development Services & Public Works Andre' Bittas stated the city is ready to replace the HVAC unit at Ballantrae Golf Club. He said the HVAC replacement project is budgeted in FY2023.

6. **Resolution 2023-04-03-04** for consideration to approve the most responsible and responsive bid from Morrow Water Technologies for the Chandalar Well Pump Repair project and amend the FY2023 budget for the emergency repairs

Director of Development Services & Public Works Andre` Bittas stated the project was scheduled for another budget year. He said his request is to fund the emergency repairs now and to amend the FY2023 budget. He said the city should be able to make the repairs in a short period of time.

7. **Resolution 2023-04-03-05** for consideration to approve the most responsible and responsive bid from Morrow Water Technologies for the Heather Ridge Well Pump Repair project and amend the FY2023 budget for the repairs

Director of Development Services & Public Works Andre` Bittas stated this project was budgeted in FY2023. He said he is requesting a FY203 budget amendment to fund the unexpected increase in the repair costs.

8. **Resolution 2023-04-03-06** for consideration to appoint a citizen to the Pelham Board of Education to fill the unexpired term of Place No. 5 with the term of office ending June 2023.

There were no questions or comments from the city council.

9. **Resolution 2023-04-03-07** for consideration to appoint a citizen to the Pelham Board of Education, Place 5, with the term of office ending June 2028.

There were no questions or comments from the city council.

10. **Resolution 2023-04-03-08** for consideration to approve an agreement with Strategic Government Resources, Inc. for planning and facilitating a strategic visioning retreat. Funding was approved in the FY2023 budget.

There were no questions or comments from the city council.

11. **Resolution 2023-04-03-09** for consideration to declare certain personal property (police vehicles) of the City of Pelham, which are no longer needed for public or municipal purposes, as surplus

Acting Chief James Grier explained the purposes for disposing of the vehicles. He said the Porsche Panamera was acquired through the efforts of Detective Todd McCann.

12. **Resolution 2023-04-03-10** for consideration to authorize the engagement of a real estate broker to exclusive market city owned properties located at Oak Mountain Trail (Shelby County Highways 52E and 35).

There were no questions or comments from the city council.

13. **Resolution 2023-04-03-11** for consideration to approve a sales contract between the City of Pelham, Alabama and Mark Byers or Assigns for the purchase of .94 acres +/- of real property located at 1297 Shelby County Highway 52 E, Pelham, Alabama 35124 and known as Old Fire Station No. 3

Economic Development Director Michael Simon stated Mark Byers has agreed to all the provisions in the sales contract.

14. **Ordinance No. 067-12** adopting portions of the 2021 International Building and Fire Code and the International Property Maintenance Code, et al. First Reading was on March 20, 2023.

The city council thanked Director of Development Services & Public Works Andre` Bittas and his staff for their efforts in bringing Ordinance No. 067-12 for their consideration.

- F. Public Hearing(s) – None
- G. Mayor's Comments
- H. Proclamation(s) by the Mayor and Others
- I. Report of the City Manager
- J. Report of the City Attorney

City Attorney Josh Arnold stated the FSI/Green Park South lawsuit has been settled. He further stated the city has been released from the lawsuit.

- K. Request(s) to Address the Council – None
- L. Old Business / Resolutions / Ordinances / Orders and Other Business – None
- M. New Business / Resolutions / Ordinances / Orders and Other Business – None

Council Comments

Councilmember Wash commended Acting Chief Grier for serving as acting chief over the past several months. He said Acting Chief Grier is well respected within the Pelham Police Department. Acting Chief Grier thanked the city council of the opportunity to having served the city and offered to assist the new police chief in any way he could.

Council President Mercer stated the Commercial Development Authority would like to update the city council on their activities at a future work session.

Councilmember Coram said he attended a recent Alabaster city council meeting. He stated their city council approved the installation of speed tables to reduce speeds in residential neighborhoods. He asked the city council to consider this speed reducing option.

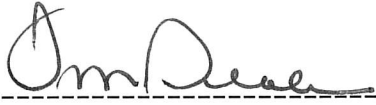
Council President Mercer asked Director of Development Services & Public Works Andre` Bittas to thank all those involved with the renovations of Pelham City Hall. Mr. Bittas noted the challenges encountered over the construction timeline of the project. He said overall it was a successful project.

(End of April 3, 2023 Agenda Review)

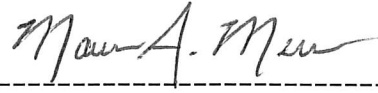
Adjournment

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 6:34 p.m.

Respectfully submitted this 3rd day of April 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

