



CITY COUNCIL MEETING MINUTES

Pelham City Hall
Council Chambers
November 6, 2023 – 7:00 p.m.

Proper notice of the regularly scheduled meeting of the Pelham City Council was given in advance of such a public meeting and the notice remained posted throughout the scheduled meeting.

Date: November 6, 2023
Time: 7:00 p.m.
Place: Pelham City Hall – Council Chambers
Present: Council President Maurice Mercer
Councilmember David Coram
Councilmember Chad Leverett
Councilmember Mildred Lanier-Reed
Mayor Gary Waters

Not Present: Councilmember Rick Wash

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Mercer called the meeting to order at 7:00 p.m. Pastor Matt Kilpatrick, Pathways United Methodist Church, led the invocation. The Pledge of Allegiance was led by Council President Mercer.

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 November 6, 2023 City Council Agenda
2. Approval of the October 16, 2023 Regular City Council Meeting Minutes
3. **Resolution 2023-11-06-01** for consideration to adopt the Pelham City Cemetery Rules and Regulations.
4. **Resolution 2023-11-06-02** for consideration to approve a Pole Attachment Agreement with Alabama Power Company for the temporary attachment of holiday decorations.
5. **Resolution 2023-11-06-03** for consideration to approve a Fee Agreement with Beasley, Allen, Crow, Methvin, Portis & Miles, P.C., and Ellis Head Owens Justice Arnold & Graham.
6. **Resolution 2023-11-06-04** for consideration to authorize allowable expenditures for Fire Department purchases under the terms of the Opioid Litigation Settlement Agreements.

- 7. **Resolution 2023-11-06-05** for consideration to approve a proposal from MBA Engineers, Inc. for construction materials testing services for the Pelham Civic Complex & Ice Arena Turbochiller replacement project. This project has been budgeted for FY2024.
- 8. **Resolution 2023-11-06-06** for consideration to the most responsive and responsible base bid and alternates from Duncan & Thompson Construction Services, LLC for the Pelham Racquet Club Lobby Reconfiguration project. This project has been budgeted for FY2024.
- 9. **Resolution 2023-11-06-07** for consideration for the acceptance and dedication of certain public street(s) and rights-of-way more specifically described as Pelham Trail Parkway from U.S. Highway 31 west to the Pelham City Park property line.
- 10. **Resolution 2023-11-06-08** for consideration for the acceptance and dedication of certain public street(s) and rights-of-way more specifically described as Village Place from Pelham Park Boulevard north to Pelham Trail Parkway.
- 11. **Resolution 2023-11-06-09** for consideration for the acceptance and dedication of certain public street(s) and rights-of-way more specifically described as Pelham Park Boulevard from Village Place west to the Pelham City Park property line.
- 12. **Resolution 2023-11-06-10** for consideration to enter into a temporary real estate construction easement agreement with To All Nations, LLC for property located along Bishop Creek and known as Tract No. 1 for extension of the Pelham Greenway Trail System, Phase IV. This project has been budgeted for FY2024.
- 13. **Resolution 2023-11-06-11** for consideration to enter into a real estate purchase agreement with First Commercial Bank for property located along Bishop Creek and known as Tract No. 3 for extension of the Pelham Greenway Trail System, Phase IV. This project has been budgeted for FY2024.
- 14. **Resolution 2023-11-06-12** for consideration to enter into a real estate purchase agreement with the Needham Keith Byrd, Estate for property located along Bishop Creek and known as Tract No. 4 for extension of the Pelham Greenway Trail System, Phase IV. This project has been budgeted for FY2024.
- 15. **Resolution 2023-11-06-13** for consideration to approve laboratory services and pricing with Enviro Management Company for MS4 Program Stormwater compliance testing. This work has been budgeted for FY2024.
- 16. **Resolution 2023-11-06-14** for consideration to enter into an agreement with the United States Geological Survey to perform required field and analytical work as directed through the city's MS4 Program and Stormwater Ordinance. This work has been budgeted for FY2024.
- 17. **Resolution 2023-11-06-15** for consideration to reject the lone bid from NAFECO for the purchase of 18 sets of personal protective equipment (PPEs) for the Pelham Fire Department.

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 made a motion to adopt the Consent Agenda as presented by Council President Mercer. Councilmember Leverett 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>
Chad Leverett, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Not Present</u>
Mildred Lanier-Reed, Council Member	<u>Yes</u>

There being no further discussion, 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

NEW EMPLOYEE INTRODUCTIONS

Ballantrae Golf Club General Manager Hal Brown introduced:

Robert Shoemaker, Food & Beverage Manager, Ballantrae Golf Club

Pelham Police Chief Brent Suggs introduced:

Jeremiah Jones, Police Officer, Pelham Police Department

Douglas Cooper, Police Officer, Pelham Police Department

Dominique Vales, Police Officer, Pelham Police Department

Pelham Fire Chief Mike Reid introduced:

Brandon Pekarek, Fire Medic, Pelham Fire Department

Isaac Cruz, Jr., Firefighter, Pelham Fire Department

Brodie Waid, Firefighter, Pelham Fire Department

Greg Lowery, Firefighter, Pelham Fire Department

RECOGNITION OF THE SHELBY COUNTY CHAMBER'S 2023 PUBLIC SAFETY AWARDS

Firefighter of the Year: Buddy Ingleright was recognized by Chief Mike Reid.

The Pelham Police Department's Criminal Investigations Division received the 2023 Public Safety Award from The Shelby County Chamber for their “unwavering commitment to safeguarding society's most vulnerable demographic, our children.”

Police Chief Brent Sugg introduced the city's Criminal Investigations Division:

Sgt. Brad Jordan, Det. Isaac Cruz, Det. Donnie Petersen, and Det. Todd McCann

MAYOR'S REPORT/COMMENTS - None

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

REPORT OF THE CITY MANAGER

- The first Federal Emergency Management Agency (FEMA) Buyout Grant meeting was held on Saturday, November 4, 2023 at 10:00 a.m. in the Council Chambers. The meeting was attended by City Manager Gretchen DiFante, Director of Development Services & Public Works Andre` Bittas and Chris Cousins, Municipal Consultants, Inc., and members of the invited public. She stated additional meetings will be held on Tuesday, November 7, 2023 at 10:00 a.m. and 6:00 p.m. She explained the meeting was held to inform and answer questions about a potential FEMA grant buyout program from those residents affected by past flooding events in Pelham.
- Reviewed the number of traffic stops by the Pelham Police Department over the past year.
- Stated the implementation of Utility Billing and Asset Management portion of the ERP has been extended.
- Stated Communications and Branding Manager Ainsley Allison has said the “Report of Concern” on the city’s website is now more user friendly.

REPORT OF THE CITY ATTORNEY – None

REQUEST(S) TO ADDRESS THE COUNCIL – None

OLD BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Ordinance No. 135-258** an amendment to the zone district boundaries of the City of Pelham changing the present zoning B-2 (General Business District) to M-1 (Light Industrial District) for property located at the end of Yeager Court, approximately 415 feet off Yeager Parkway consisting of 7.16 +/- acres was introduced and read in its entirety by Council President Mercer as First Reading on October 16, 2023.

Applicant: Shield Properties, LLC, 120 Bishop Circle, Pelham, Alabama 35124.

Owners: William P. Taylor, 1543 Timber Drive, Helena, Alabama 35080
Connor Farmer, 120 Bishop Circle, Pelham, Alabama 35124

Councilmember Coram moved to adopt Ordinance No. 135-258 as presented and Councilmember Leverett seconded the motion. There being no further discussion, Council President Mercer asked the city clerk/treasurer for a roll call vote to adopt Ordinance No. 135-258. The roll call vote was recorded as follows:

Maurice Mercer, Council President	<u>Yes</u>
David Coram, Council Member	<u>Yes</u>
Chad Leverett, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Not Present</u>
Mildred Lanier-Reed, Council Member	<u>Yes</u>

Council President Mercer announced Ordinance No. 135-258 was passed and adopted by unanimous roll call vote of those councilmembers present.

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

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.

Bill Blank, 720 Cahaba Manor Court, Pelham, Alabama 35124, noted a Veterans Day event will be held at Texas Roadhouse on Saturday, November 11, 2023 during regular business hours.

CITY COUNCIL COMMENTS

Councilmember Coram noted several resolutions on tonight's agenda are about property purchases for the northern portion of the Pelham trail. He thanked all city employees who are a part of making the trail a reality.

Councilmember Leverett asked everyone to keep Councilmember Wash in their thoughts and prayers. He stated his appreciation of all the city employees. He said the Fall Festival was a huge success and thanked the staff of Parks & Recreation and the Library.

Councilmember Lanier-Reed welcomed all the city's new employees. She noted her appreciation for the city's staff and stated God continues to protect all of us. She thanked Bill Blank, American Legion Matthew Blount Post 555, and all our veterans for their service.

Council President Mercer echoed the comments of Councilmember Lanier-Reed. He thanked Pastor Matt Kilpatrick, Pathways United Methodist Church, for bringing tonight's invocation. Council President Mercer noted the contributions of all our veterans and the contributions of American Legion Matthew Blount Post 555.

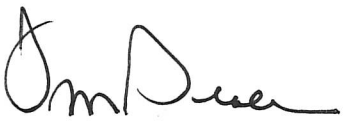
PUBLIC ANNOUNCEMENTS

- 1. City offices will be closed Friday, November 10th in observance of Veterans Day.
- 2. The Pelham City Council is accepting letters of interest and resumes through Wednesday, November 15th at 5:00 p.m. from those citizens who would like to be considered for a Council appointment to the Pelham Public Library Board, Place 2, and the Pelham Storm Water Board, Places 1, 4 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.
- 3. The Pelham City Council is accepting letters of interest and resumes through Wednesday, November 15th at 5:00 p.m. from those citizens who would like to be considered for a Council appointment to the Pelham Personnel Board. 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.
- 4. The Pelham City Council will host a "Meet & Greet" between the Council Work Session and City Council Meeting in the Council Chambers on Monday, November 20, 2023 for those residents who have applied for a position on the Pelham Personnel Board as the employee representative.
- 5. A public hearing will be held on Monday, November 20, 2023 at 7:00 p.m. in the Council Chambers at Pelham City Hall to consider a request by OG Puff (Ammar Alsabahi) for a conditional use permit for a CBD, vape, alternative health and wellness, tobacco and exotic snacks store at 2271 Pelham Parkway, Pelham, AL 35124 (former Cahaba Cycle location).
- 6. City offices will be closed Thursday and Friday, November 23rd and 24th for the Thanksgiving Holidays.

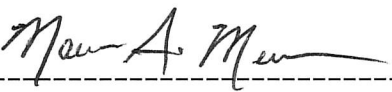
ADJOURNMENT

With no other business before the city council, Councilmember Coram moved to adjourn the council meeting and Councilmember Lanier-Reed seconded the motion. By voice vote the motion passed unanimously by those members present and the meeting was adjourned at 7:32 p.m.

Respectfully submitted this 6th day of November 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

