



# CITY COUNCIL WORK SESSION MINUTES

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Pelham City Hall  
Council Conference Room  
November 6, 2023 – 4:45 p.m.

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

Members of the Pelham City Council met on Monday, November 6, 2023 at 4:45 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 4:16 p.m.

## Record of Attendance

The following elected officials were present:

Council President Maurice Mercer  
Councilmember David Coram  
Councilmember Chad Leverett  
Councilmember Rick Wash  
Councilmember Mildred Lanier-Reed  
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: Shelby County Reporter

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 October 16, 2023 Regular Work Session Minutes.

The motion was seconded by Councilmember Coram. There being no further discussion, the council president announced the motion passed by a unanimous 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 and 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), Code of Alabama 1975, as amended.

City Attorney Josh Arnold stated the purposes of tonight's Executive Session is appropriate under Section 36-25A-7(3)(a) Code of Alabama 1975, as amended and Section 36-25A-7(6)(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 purposes. 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>Yes</u> |
| Chad Leverett, Council Member       | <u>Yes</u> |
| Rick Wash, Council Member           | <u>Yes</u> |
| Mildred Lanier-Reed, Council Member | <u>Yes</u> |

Council President Mercer asked the members of the city council, Mayor Waters, City Manager Gretchen DiFante, Fire Chief Mike Reid, Police Chief Brent Sugg, Director of Economic Development Michael Simon, Director of Development Services & Public Works Director Andre` Bittas, City Attorney Josh Arnold, 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 60 minutes. The city council went into Executive Session at 4:18 p.m.

Councilmember Coram moved to adjourn the Executive Session. Said motion was seconded by Councilmember Lanier-Reed. The motion passed unanimously by voice vote of those members present and the Executive Session was adjourned at 5:44 p.m.

Council President Mercer called the work session back to order at 5:47 p.m.

## Old Business

### 1. Options – Quad Cities Emergency Transport Services Request for Proposal

City Manager Gretchen DiFante discussed the recent Request for Proposal (RFP) for emergency transport services, which she noted did not meet the needs of the Quad Cities. Fire Chief Mike Reid discussed options and staffing needs to meet response times regarding emergency transport services. He stated

none of the Quad Cities representatives were comfortable with the Regional Paramedical Services (RPS) proposal. He stated a request to hire seven (7) additional employees, six frontline firefighters/EMT and one administrative firefighter/paramedic for fire administrative staff functions, to operate two ambulances and one backup. The ambulances would be housed at Stations No. 1, No. 2, and No. 3. Chief Reid discussed structure fire responses, other considerations, and a cost analysis of the emergency transport services.

Deputy Chief Chris Carpenter stated a satisfaction survey was conducted among the members of the Fire Department which recognized the need for medical transport services.

Members of the city council thanked Chief Reid and the Pelham Fire Department for providing the requested information for their consideration.

### New Business

#### 1. Discussion - Traffic Calming Devices

Director of Development Services & Public Works Andre` Bittas discussed traffic calming device options available to the city. Mr. Bittas noted the City of Alabaster adopted guidelines and procedures in the recent past addressing traffic issues in neighborhoods. He said Alabaster consulted with the National Highway Safety Standards and the City of Franklin, Tennessee prior to the adoption of their guidelines. He stated to date no traffic calming devices have been installed in Alabaster. He noted their guidelines only apply to local/residential streets. Mr. Bittas reviewed Alabaster's guidelines for traffic calming devices.

Mr. Bittas said funding would be required for staff time and engineering expenses to move forward with a need's evaluation and assessment. The city council asked that discussion regarding traffic calming devices be continued at another work session.

#### 2. Discussion – NFL Flag Football & NHL Youth Ball / Street Hockey Contracts with RCX Sports

Parks & Recreation Director Brian Cooper discussed contracts with RCX Sports regarding NFL Flag Football & NHL Youth Ball/Street Hockey. He said both contracts have been reviewed by the city attorney. The contracts will be brought to the city council at a future council meeting for consideration.

#### 3. Discussion – Bee City USA Designation

Parks & Recreation Director Brian Cooper discussed with the city council about Pelham applying for a Bee City USA designation. He said Pelham would be the second Bee City, USA in Alabama. The city council expressed their excitement about the project. It was noted that a proclamation will be brought to the city council at a future council meeting for consideration.

### Review of November 6, 2023 City Council Agenda

Council President Mercer reviewed the November 6, 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 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 November 6, 2023 City Council Agenda
2. Approval of the October 16, 2023 Regular Council Meeting Minutes
3. **Resolution 2023-11-06-01** for consideration to adopt the Pelham City Cemetery Rules and Regulations.

There were no comments or questions from the city council.

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.

Director of Development Services & Public Works Andre` Bittas stated the agreement permits the city to attached temporary holiday decorations to Alabama Power Company utility poles. He said the agreement is an annual requirement of Alabama Power Company.

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.

There were no comments or questions from the city council.

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.

Fire Chief Mike Reid said the Fire Department is requesting to purchase items which are allowable expenditures from the Opioid Litigation Settlement distributions. Chief Reid reviewed each item with the city council being requested for purchase.

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.

Director of Development Services & Public Works Andre` Bittas said adopting Resolution 2023-11-06-05 allows for construction materials testing services as a part of the Turbochiller replacement project.

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.

Director of Development Services & Public Works Andre` Bittas asked the city council for their consideration to approve the most responsive and responsible base bid and alternates from Duncan & Thompson Construction Services, LLC for the Pelham Racquet Club Lobby Reconfiguration project.

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.

Director of Development Services & Public Works Andre` Bittas stated this Resolution and Resolutions 2023-11-06-08 and 2023-11-06-09 are accepting the dedication of certain public street(s) and rights-of-way near the Pelham Recreation Center, Pelham Park Middle School, and the Pelham Public Library. He further stated the acceptance of these streets will allow the platting of the city owned property located east of the Pelham Public Library.

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.

See comments under Resolution 2023-11-06-07.

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.

See comments under Resolution 2023-11-06-07.

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.

Director of Development Services & Public Works Andre` Bittas said this Resolution and Resolutions 2023-11-06-11 and 2023-11-06-12 are a part of the northern portion of the Pelham Trail project.

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.

See comments under Resolution 2023-11-06-11.

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.

See comments under Resolution 2023-11-06-11.

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.

Chris Cousins, Municipal Consultants, Inc., explained this is a part of the annual renewal of the agreement for MS4 Program Stormwater compliance testing.

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.

Chris Cousins, Municipal Consultants, Inc., explained this is a part of the annual renewal of the agreement for MS4 Program Stormwater compliance testing.

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.

Fire Chief Mike Reid stated the reasons for requesting the rejection of the bid include 1) clothing sizing described as small, medium, and large is unacceptable; (2) overall disappointment with the fit, mobility and general comfort of the PPEs; and (3) disappointment with responsiveness by the vendor(s) on requests for quotes on additional PPE equipment. There were no comments or questions from the city council.

F. New Employee Introductions

G. Recognition of the Shelby County Chamber's 2023 Public Safety Awards

H. Public Hearing(s) – None

I. Mayor's Report/Comments

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

K. Report of the City Manager

L. Report of the City Attorney – None

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

N. 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. The First Reading was 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

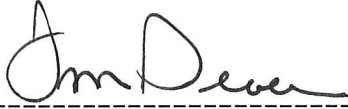
O. New Business / Resolutions / Ordinances / Orders and Other Business – None

*(End of the November 6, 2023 Agenda Review)*

Adjournment

A motion to adjourn the work session was made by Councilmember Coram and seconded by Councilmember Leverett. The motion passed unanimously by voice vote of those members present and the work session was adjourned at 6:47 p.m.

Respectfully submitted this 6th day of November 2023.



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Tom Seale, MMC, City Clerk/Treasurer



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Maurice Mercer, President of the Council

