



CITY COUNCIL MEETING MINUTES

Pelham City Hall
Council Chambers
December 4, 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: December 4, 2023
Time: 7:00 p.m.
Place: Pelham City Hall – Council Chambers
Present: Council President Maurice Mercer
Councilmember Chad Leverett
Councilmember Rick Wash
Councilmember Mildred Lanier-Reed
Mayor Gary Waters

Not Present: Councilmember David Coram

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Mercer called the meeting to order at 7:04 p.m. Councilmember Wash led the invocation. The Pledge of Allegiance was led by Councilmember Leverett.

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 December 4, 2023 City Council Agenda
2. Approval of the November 20, 2023 Regular City Council Meeting Minutes
3. **Resolution 2023-12-04-01** for consideration to approve an agreement with Axon Enterprise, Inc. for the purchase of ten (10) in-vehicle camera systems for the Pelham Police Department. This expense has been budgeted in FY2024.
4. **Resolution 2023-12-04-02** for consideration to accept and award the most responsive and responsible bid from Temple J Electric, LLC for the installation of a traffic light at Pelham Fire Station No. 3. This expense has been budgeted in FY2024.
5. **Resolution 2023-12-04-03** for consideration to accept the proposal from CC Lynch and Associates to purchase two (2) rain gauges for stormwater monitoring. This expense has been budgeted in FY2024.

- 6. **Resolution 2023-12-04-04** for consideration to accept the most responsive and responsible bid from Chilton Contractors, Inc. for the installation of an additional crosswalk, signage, activation warning light button, curb ramp and sidewalk to connect The Canopy Development with the LiveNation parking lot. This expense has been budgeted in FY2024.
- 7. **Resolution 2023-12-04-05** for consideration to participate with Shelby County, Alabama for acquisition of the 2024 Aerial Photography and Topographic Mapping Update. This expense has been budgeted in FY2024.

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 Wash 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>Not Present</u>
Chad Leverett, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Yes</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)

Councilmember Leverett moved to recess the city council meeting to hold a public hearing for which proper notice had been given. The motion was seconded by Councilmember Wash and approved unanimously by voice vote of those members present. The council meeting recessed at 7:06 p.m.

Council President Mercer explained the purpose of the public hearing is to consider a request to amend the zone district boundaries of the City of Pelham changing the present zoning M-1 (Light Industrial District) to R-T (Residential Townhome) for property located west of Pelham Parkway and north of the former Walmart site consisting of 9.42 +/- acres.

Council President Mercer announced the public hearing was in session regarding the request to amend the zone district boundaries of the City of Pelham changing the present zoning M-1 (Light Industrial District) to R-T (Residential Townhome) as noted in proposed Ordinance No. 135-259. He stated the city council would now hear comments both for and against the request.

Council President Mercer gave an overview of the request. He said the rezoning is consistent with the surrounding property and was approved by the Pelham Planning Commission. Mayor Waters stated the rezoning and construction of detention pond(s), if adopted, would create 36 hours of additional storm water runoff storage during large rain events.

Speaking in favor of the rezoning request:

- No member of the public spoke in favor of the rezoning request.

Speaking against the rezoning request:

- No member of the public spoke against the rezoning request.

Council President Mercer stated the public hearing to consider the rezoning request has now concluded.

Council President Mercer called the December 4, 2023 City Council meeting back to order at 7:09 p.m.

MAYOR'S REPORT/COMMENTS – None

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

REPORT OF THE CITY MANAGER

- The Park and Recreation Department and the Economic Development Department put together a “Find the Elf” game to promote the city’s local businesses. Over 250 residents participated in the event last weekend.
- 61 youth participated in a junior tennis tournament last weekend at the Pelham Raquet Club.
- Communications & Branding Manager Ainsley Allison demonstrated and explained the city’s new app, Pelham 311. She stated the app will go live on December 15, 2023.

REPORT OF THE CITY ATTORNEY – None

REQUEST(S) TO ADDRESS THE COUNCIL – None

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

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Resolution 2023-12-04-06** for consideration to approve a Letter of Intent to purchase a portion of Lot No. 2 in The Grande Vista Commercial Sub-Division pursuant to Section § 11-47-20, Code of Alabama 1975, as amended, containing 1.26 acres (+/-) of real estate and identified as parcel 13 6 24 1 001 020.001 and recorded in Map Book 56, Page 84 in the office of the Judge of Probate, Shelby County, Alabama to Jack’s Family Restaurant, LP or its assigns.

Resolution 2023-12-04-06 was removed from the December 4, 2023 council agenda by city council action.

2. **Resolution 2023-12-04-07** for consideration to approve or deny a request by OG Puff 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.

Councilmember Leverett moved to deny the request and to adopt Resolution 2023-12-04-07. Councilmember Lanier-Reed seconded the motion.

There being no further discussion, the motion to adopt Resolution 2023-12-04-07 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

3. **Ordinance No. 135-259**, an amendment to the zone district boundaries of the City of Pelham changing the present zoning M-1 (Light Industrial District) to R-T (Residential Townhome) for property located west of Pelham Parkway and north of the former Walmart site consisting of 9.42 +/- acres was introduced and read in its entirety by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 135-259 is available at Pelham City Hall and online at www.pelhamalabama.gov.

Council President Mercer announced this Ordinance will likely be considered by the city council at a future city council meeting.

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.

There were no public comments.

CITY COUNCIL COMMENTS

Councilmember Leverett thanked Communications & Branding Manager Ainsley Allison for her work on developing and implementing the Pelham 311 app. He noted the weather forecast and the activities planned for this Saturday.

Councilmember Wash echoed the comments by Councilmember Leverett. He has the activities planned for this weekend will be a great community event. He encouraged everyone to attend.

Councilmember Lanier-Reed stated Pelham 311 is fantastic. She thanked City Manager Gretchen DiFante and the city's leadership for making Pelham better.

Council President Mercer stated his excitement about the city's new app. He thanked Ainsley Allison for assisting in the development of the app for the benefit of the citizens and businesses of Pelham.

PUBLIC ANNOUNCEMENTS

- 1. The 3rd Annual "A Pelham Hometown Christmas" will be held this Saturday, December 9, 2023 at the Pelham Civic Complex & Ice Arena with activities beginning at 2:30 p.m. and running well into the evening. The parade begins at 5:00 p.m.
- 2. A public hearing will be held on Monday, December 18, 2023 at 7:00 p.m. in the Council Chambers at Pelham City Hall to consider a Development Agreement between HCI Pelham Central, LLC and the City of Pelham.
- 3. City offices will be closed Monday and Tuesday, December 25th and 26th for the Christmas Holidays.

ADJOURNMENT

With no other business before the city council, Councilmember Leverett 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 7:28 p.m.

Respectfully submitted this 4th day of December 2023.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

