



CITY COUNCIL WORK SESSION AGENDA

Pelham City Hall – Council Conference Room
February 5, 2024 – 5:00 p.m.

**BY GENERAL CONSENT OF THE COUNCIL, AGENDA ITEMS
MAY BE ADDED, REMOVED OR CONSIDERED OUT OF ORDER**

Proper notice of the regular 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.

- A. Call to Order
- B. Record of Attendance
- C. Approval of the January 22, 2024 Regular Work Session Minutes
- D. Interviews – Pelham Public Library Board
- E. Old Business
 - 1. Discussion – Oak Mountain Trail Marketing Plan (Schedule Special Work Session)
- F. New Business
 - 1. Discussion – Applicants for the Pelham City Council Place No. 5 and the Pelham Personnel Board
- G. Review of the February 5, 2024 City Council Agenda
- H. Adjournment

THE COUNCIL WORK SESSION IS OPEN TO THE PUBLIC BUT IS NOT A PUBLIC HEARING



CITY COUNCIL WORK SESSION MINUTES

Pelham City Hall
Council Conference Room
January 22, 2024 – 4:30 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, January 22, 2024 at 4:30 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 4:30 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 Place No. 5: Vacant
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 Coram to approve the January 8, 2024 Regular Work Session Minutes.

The motion was seconded by Councilmember Leverett. 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 general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees under Section 36-25A-7(1)(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(1)(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 Wash. 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>
Councilmember Place No. 5	<u>Vacant</u>

Council President Mercer asked the members of the city council, Mayor Waters, City Manager Gretchen DiFante, City Attorney Josh Arnold, Finance Director Jamie Wagner, Police Chief Brent Sugg, Human Resources Director Tracy Hill, IT Director Chuck Crocker, 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 15 minutes. The city council went into Executive Session at 4:32 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 4:47p.m.

Council President Mercer called the work session back to order at 4:49 p.m.

Old Business

1. Discussion – Huntley Parkway Development (Rezoning)

City Manager DiFante and Director of Development Services & Public Works Andre` Bittas led the discussion. Mr. Bittas explained the procedures when a request for rezoning is received. He reviewed the 2019 Comprehensive Plan. He asked the city council how they want the city to develop regarding commercial versus residential. Mr. Bittas said the city is recommending the property along Huntley Parkway, known as Site 1, not be rezoned commercial. Several members of the city council spoke in favor of following the recommendation of the city not to rezone the property under discussion. They further stated the property along Huntley Parkway is flat and prime for commercial development. Mr. Bittas said the relationship between the city and Tower Homes has been great.

Price Hightower, Bobby Riis, and Will Hightower, representing Tower Homes, were present. Price Hightower addressed the city council regarding proposed developments in Pelham.

New Business

1. Discussion – Date and Time for City Council Place No. 5 Interviews

Council President Mercer asked the city council to review their calendar for the purpose of setting a date and time for interviews to fill the Place No. 5 vacancy. He reminded the city council the 60-day deadline began with the resignation of Councilmember Lanier-Reed on January 8, 2024. He stated the city council has until Friday, March 8, 2024 to make the appointment. He said after March 8, 2024 the appointment will be handled by Governor Ivey's office.

It was the consensus of the city council to set the date and time for a special work session for Tuesday, February 13, 2024, at 5:00 p.m.

2. Discussion – HealthCare Freedom

Councilmember Leverett and Councilmember Wash led the discussion regarding healthcare freedom. They mentioned allowing individuals the opportunity to make their own decision regarding healthcare and not mandated by a government entity. Councilmember Wash said it is a personal choice whether to wear or not wear a mask or be subject to vaccinations. Discussion continued regarding the personal choice of everyone. Council President Mercer suggested a committee work with the city attorney and city clerk/treasurer to draft a resolution or proclamation to address this issue. City Attorney Josh Arnold said he was not aware of any local municipality considering this course of action. He cautioned the city passing a resolution or ordinance and the unintended consequences which might occur. Council President Mercer appointed Councilmember Wash, Councilmember Leverett, and City Manager DiFante to a committee to investigate healthcare freedom. City Manager DiFante stated there is a lot to consider.

3. Update – FY2024 Street Paving Plan

Director of Development Services & Public Works Andre` Bittas reviewed the street paving plan for FY2024. He stated the city has a five-year plan for street paving. He provided a list of the FY2023 paving plan, the criteria, and the FY2024 paving schedule. Mr. Bittas stated the five-year plan is adjusted as needed based on funding and cost. He said if the council approves the paving schedule the city can move forward with letting the project for bid.

FY2024 Street Paving Plan

Heather Ridge Drive/King Valley Circle
Heather Lane
Chandabrook Drive/Burning Tree
Hidden Creek Parkway
Hidden Creek Circle
Hidden Creek Drive
Hidden Creek Trail
Hidden Creek Cove
Hidden Cove Circle
Crosscreek Trail

If Funding is Available

Village Lane
Cummings Street
Church Street
Driver's Way

4. Review and Discussion – Outdoor Weather Sirens

Fire Chief Mike Reid discussed the current situation with the outdoor weather sirens. Chief Reid provided a history of the outdoor weather sirens in Pelham. He said they are trying to encourage the public to embrace the new technology. He stated the approximate cost to purchase new outdoor weather sirens and annual maintenance is \$998,963.00. He noted the various options available to the public, including Pelham's 311. It was mentioned the city could potentially provide the public weather alert radios through a non-profit organization. Council President Mercer stated the city has protocols in place and are being followed.

Review of January 22, 2024 City Council Agenda

Council President Mercer reviewed the January 22, 2024 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 January 22, 2024 City Council Agenda
2. Approval of the January 8, 2024 Regular Council Meeting Minutes
3. **Resolution 2024-01-22-01** for consideration to accept the resignation of City Councilmember Mildred Lanier-Reed, Place No. 5, effective January 8, 2024.

Council President Mercer discussed the need to accept the resignation of Councilmember Lanier-Reed. Councilmember Wash suggested holding a reception honoring Councilmember Lanier-Reed.

4. **Resolution 2024-01-22-02** for consideration to approve a quote from Lower Bros. Tennis Courts to resurface the existing outdoor basketball and pickleball courts at Pelham City Park. This project was budgeted in FY2024.

Director of Parks & Recreation Brian Cooper stated the quote from Lower Bros. Tennis Courts is to resurface the existing outdoor basketball and pickleball courts at Pelham City Park. In addition, repairs will be made to the basketball goals. Mr. Cooper requested a contingency amount of \$2,000.00 for unforeseen expenses. He said this project is budgeted for \$22,000.00 in FY2024.

5. **Resolution 2024-01-22-03** 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.

Police Chief Brent Sugg addressed the city council and requested a 2007 Hummer be declared as surplus property. He stated if Resolution 2024-01-22-03 is adopted the vehicle would be auctioned.

6. **Resolution 2024-01-22-04** for consideration to approve a professional services proposal from Gresham Smith to prepare traffic signal detection upgrades plans at 12 intersections.

Director of Development Services & Public Works Andre` Bittas stated the proposal from Gresham Smith is to draft traffic signal detection upgrade plans at 12 intersections. He further stated the project was budgeted in FY2024.

F. Public Hearing(s) – None

G. Mayor's Report/Comments – None

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

I. Report of the City Manager

J. Report of the City Attorney – None

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

1. **Ordinance No. 070-06** for consideration to repeal and replace the City of Pelham's current flood plain ordinance. First Reading.

Director of Development Services & Public Works Andre` Bittas noted the proposed changes to the city's flood plain ordinance were discussed during the January 8, 2024 council work session. He reminded the city council any revisions to the current ordinance must be in place on or before February 4, 2024. He requested the rule be waived to give immediate consideration to adopting Ordinance No. 070-06 tonight.

2. **Ordinance No. 516** for consideration to de-annex from the corporate limits of the City of Pelham into unincorporated Shelby County, Alabama, 6.3 acres (+/-) of real property as request by Robert E. Langston, Robert E. Langston & Associates Insurance, Inc., for property located along Cahaba Valley Road and across from Oak Mountain Elementary School and Oak Mountain Middle School. First Reading.

Council President Mercer said property owner Robert Langston and Real Estate Broker Mark Dinan attended the January 8, 2024 work session. He said they stated their reasons for requesting the property to be de-annexed. Council President Mercer said Mr. Langston has requested the rule be waived to give immediate consideration to adopting Ordinance No. 516 tonight.

Old Business – Continued

1. Oak Mountain Trail and Huntley Parkway Properties

Director of Economic Development Michael Simon updated the city council on the Oak Mountain Trail and Huntley Parkway properties. He said the traffic study for Jack's purchase proposal is being reviewed by the city attorney. Mr. Simon updated the city council on several of the Commercial Development Authority's properties.

New Business – Continued

1. Fire on the Water

City Manager DiFante asked the city council to consider a date for the 2024 Fire on the Water fireworks show. The council agreed to schedule the event for Wednesday, July 3, 2024 at Oak Mountain State Park.

2. Video Retention Schedule

City Manager DiFante and Communications Manager Ainsley Allison discussed a retention schedule for the city council meeting videos. Mrs. Allison reviewed policies from surrounding municipalities. Following further discussion, it was the consensus of the city council to retain the videos for no longer than 60 days.

3. Weapons/Firearms Policy at City Facilities

Councilmember Leverett mentioned a weapons policy at city facilities. City Attorney Arnold stated there is not much the city can do to regulate weapons and firearms at outdoor recreational venues. He suggested contacting our legislative delegation. Several exceptions were noted.

(End of the January 22, 2024 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 6:43 p.m.

Respectfully submitted this 22nd day of January 2024.

Tom Seale, MMC, City Clerk/Treasurer

Maurice Mercer, President of the Council

[SEAL]



CITY COUNCIL MEETING AGENDA

Pelham City Hall – Council Chambers

February 5, 2024 – 7:00 p.m.

BY GENERAL CONSENT OF THE COUNCIL, AGENDA ITEMS MAY BE ADDED, REMOVED OR CONSIDERED OUT OF ORDER

Proper notice of the regular 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.

- A. Call to Order
- B. Invocation
- C. Pledge of Allegiance
- D. Record of Attendance
- 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 February 5, 2024 City Council Agenda
- 2. Approval of the January 22, 2024 Regular Council Meeting Minutes
- 3. **Resolution 2024-02-05-01** for consideration to declare certain personal property (Police Department) of the City of Pelham, which are no longer needed for public or municipal purposes, as surplus.
- 4. **Resolution 2024-02-05-02** for consideration to approve a summary change order and an FY2024 budget amendment for completion of the Heather Ridge Well Pump Repair.

- F. Public Hearing(s) – None
- G. Mayor's Report/Comments

H. Proclamation(s) and Resolution(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 – None

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

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

1. **Resolution 2024-02-05-03** for consideration of ABC license application for 050 – Retail Beer (Off Premises Only), 070 – Retail Table Wine (Off Premises Only) for applicant Circle K Stores, Inc. operating under the trade name Circle K Store 2709335 located at 3000 Pelham Parkway, Alabama 35124.

N. 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.

O. City Council Comments

P. Public Announcements

1. The Pelham City Council has scheduled a special Work Session on Tuesday, February 13, 2024 at 5:00 p.m. in the Council Chambers at Pelham City Hall for the purpose of interviewing candidates to fill the vacancy on the Pelham City Council, Place No. 5.
2. The Pelham City Council is accepting letters of interest and resumes through Wednesday, February 21, 2024 at 5:00 p.m. from those residents who would like to be considered for appointment to the Pelham Board of Education, Place 1.

You will find the application under City News on our website. The city clerk/treasurer will acknowledge receipt of the application by email.

Q. Adjournment

THE COUNCIL MEETING IS OPEN TO THE PUBLIC BUT IS NOT A PUBLIC HEARING



CITY COUNCIL MEETING MINUTES

Pelham City Hall
Council Chambers
January 22, 2024 – 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: January 22, 2024
Time: 7:00 p.m.
Place: Pelham City Hall – Council Chambers
Present: Council President Maurice Mercer
Councilmember David Coram
Councilmember Chad Leverett
Councilmember Rick Wash
Councilmember Place No. 5: Vacant
Mayor Gary Waters

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Mercer called the meeting to order at 7:00 p.m. Councilmember Coram led the invocation. The Pledge of Allegiance was led by Councilmember Wash.

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 January 22, 2024 City Council Agenda
2. Approval of the January 8, 2024 Regular City Council Meeting Minutes

3. **Resolution 2024-01-22-01** for consideration to accept the resignation of City Councilmember Mildred Lanier-Reed, Place No. 5, effective January 8, 2024.
4. **Resolution 2024-01-22-02** for consideration to approve a quote from Lower Bros. Tennis Courts to resurface the existing outdoor basketball and pickleball courts at Pelham City Park. This project was budgeted in FY2024.
5. **Resolution 2024-01-22-03** 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.
6. **Resolution 2024-01-22-04** for consideration to approve a professional services proposal from Gresham Smith to prepare traffic signal detection upgrades plans at 12 intersections.

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>Yes</u>
Council Member Place No. 5	<u>Vacant</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

MAYOR'S REPORT/COMMENTS - None

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

REPORT OF THE CITY MANAGER

- Fire Chief Mike Reid introduced Capt. Matt Maples/EMS Director, and Dr. Shea Duerring. He stated Dr. Duerring is a local pediatrician and the medical director for the Pelham Fire Department. Dr. Duerring discussed a blood product initiative funded by the Shelby County Health Foundation. He said Pelham is one of only four sites selected by the Health Foundation for funding. Capt. Maples said he was excited about prehospital ultrasound which is growing across the country. He stated the city will be going "live" on January 1, 2025 with medical transport. He made it clear the Fire

Department is preparing for medical transport. Dr. Duerring noted the Pelham Fire Department's CPR success rate of 54% in 2023, with the national average between 20% and 30%. Dr. Duerring said Pelham offers a level of EMS care which is unparalleled in the state.

- City Manager DiFante noted the success of the 2024 Birmingham Bulls.

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. **Ordinance No. 070-06** for consideration to repeal and replace the City of Pelham's current flood plain ordinance was introduced by, and an overview was provided by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 070-06 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.

Councilmember Coram moved that all rules which would prevent the immediate consideration of Ordinance No. 070-06 be suspended and immediate consideration given. The motion was seconded by Councilmember Wash.

Council President Mercer asked the city clerk/treasurer for a roll call vote. The vote to suspend the rule for immediate consideration of Ordinance No. 070-06 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>
Council Member Place No. 5	<u>Vacant</u>

Council President Mercer announced the motion to suspend the rule for immediate consideration of Ordinance No. 070-06 passed by a unanimous roll call vote of those councilmembers present.

Councilmember Wash moved to adopt Ordinance No. 070-06 as presented and Councilmember Coram 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. 070-06. 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>Yes</u>
Council Member Place No. 5	<u>Vacant</u>

Council President Mercer announced Ordinance No. 070-06 was passed and adopted by unanimous roll call vote of those councilmembers present.

2. **Ordinance No. 516** for consideration to de-annex from the corporate limits of the City of Pelham into unincorporated Shelby County, Alabama, 6.3 acres (+/-) of real property as request by Robert E. Langston, Robert E. Langston & Associates Insurance, Inc., for property located along Cahaba Valley Road and across from Oak Mountain Elementary School and Oak Mountain Middle School.

Ordinance No. 516 was introduced and read in its entirety by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 516 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.

Councilmember Coram moved that all rules which would prevent the immediate consideration of Ordinance No. 516 be suspended and immediate consideration given. The motion was seconded by Councilmember Leverett.

Council President Mercer asked the city clerk/treasurer for a roll call vote. The vote to suspend the rule for immediate consideration of Ordinance No. 516 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>
Council Member Place No. 5	<u>Vacant</u>

Council President Mercer announced the motion to suspend the rule for immediate consideration of Ordinance No. 516 passed by a unanimous roll call vote of those councilmembers present.

Councilmember Coram moved to adopt Ordinance No. 516 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. 516. 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>Yes</u>
Council Member Place No. 5	<u>Vacant</u>

Council President Mercer announced Ordinance No. 516 was passed and adopted by unanimous roll call vote of those councilmembers present.

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 comments from the public.

CITY COUNCIL COMMENTS

Councilmember Wash thanked Chief Reid, Capt. Maples, and Dr. Duerring for their EMS and medical transport presentation and update.

Councilmember Leverett noted how much time the city council invested during the FY2024 budget process as to whether to move forward with medical transport. He concurred with the comments of Councilmember Wash. He announced a 5K Run on April 6, 2024.

Councilmember Coram concurred with the comments of Councilmember Leverett and Councilmember Wash. He thanked Councilmember Lanier-Reed for her valued service to the City of Pelham. He said the city will be planning a reception in her honor.

Council President Mercer thanked Chief Reid, Capt. Maples, and Dr. Duerring for their presentation. He stated the citizens in Pelham can rest assured they will get the emergency care needed. He thanked Councilmember Lanier-Reed for her service to the City of Pelham.

PUBLIC ANNOUNCEMENTS

1. The Pelham City Council is accepting letters of interest and resumes through Friday, February 2, 2024 at 5:00 p.m. from those residents who would like to be considered for an appointment to fill a vacancy on the Pelham City Council, Place 5.
2. The Pelham Personnel Board is accepting letters of interest and resumes through Friday, February 2, 2024 at 5:00 p.m. from those residents who would like to be considered for an appointment to the Pelham Personnel Board.

3. The Pelham City Council is accepting letters of interest and resumes through Wednesday, February 21, 2024 at 5:00 p.m. from those residents who would like to be considered for appointment to the Pelham Board of Education, Place 1.

You will find the application under City News on our website. The city clerk/treasurer will acknowledge receipt of the application by email.

ADJOURNMENT

With no other business before the city council, Councilmember Coram moved to adjourn the council meeting and Councilmember Leverett seconded the motion. By voice vote the motion passed unanimously by those members present and the meeting was adjourned at 7:29 p.m.

Respectfully submitted this 22nd day of January 2024.

Tom Seale, MMC, City Clerk/Treasurer

Maurice Mercer, President of the Council

[SEAL]

RESOLUTION 2024-02-05-01

Declaring Surplus Personal Property – Police Department

WHEREAS, the City of Pelham, Alabama, has a certain item of personal property which is no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Code of Alabama of 1975 authorizes the municipal governing body to dispose of unneeded personal property.

NOW, THEREFORE, BE IT RESOLVED by the Pelham City Council as follows:

SECTION 1. That the personal property known as K9 Baghera, a 4-year-old black Labrador, is owned by the City of Pelham, Alabama and is no longer needed for public or municipal purposes.

SECTION 2. The mayor, city manager, and city clerk/treasurer shall be, and they are hereby, authorized and directed to dispose of the personal property owned by the City of Pelham, Alabama, by receiving bids, auctioning, direct selling, or donating such property. Except for the items to be sold or donated as noted in Section 1 above, all such property shall be sold to the highest bidder, provided, however, that the mayor, city manager, and city clerk/treasurer shall have the authority to reject all bids when, in their opinion, they deem the bids to be less than adequate consideration for the personal property. If an item does not receive a bid due to lack of value or condition, the mayor, city manager, and city clerk/treasurer are authorized to dispose of the property.

SECTION 3. All vehicles, items and equipment will be sold or donated “as is” and “where is” with no expressed or implied warranty or guarantee. Buyers are responsible for pick-up and transport of the vehicles, items and equipment from the sale or alternate site. All sales are final. No refunds will be granted. Payment for surplus personal property shall be in the form of cash or an official bank check. No personal checks will be accepted.

THEREUPON _____, a councilmember, moved and _____, a councilmember, seconded the motion that Resolution 2024-02-05-01 be given vote, and said resolution passed by a majority vote of all members of the Council present and the President of the Council declared the same passed and adopted.

ADOPTED this 5th day of February 2024.

Maurice Mercer, President of the Council

[SEAL]

ATTEST

Tom Seale, MMC, City Clerk/Treasurer

I, the undersigned City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City named herein, at a regular meeting of such Council held on the 5th day of February 2024 and that such resolution is on file in the office of the City Clerk/Treasurer and that no action has been taken to rescind or modify said Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 5th day of February 2024.

Tom Seale, MMC, City Clerk/Treasurer

[SEAL]



Pelham

A path apart.

MEMORANDUM

TO: Mayor Waters, City Manager DiFante, and City Council Members
FROM: Chief Brent Sugg *BDS*
DATE: January 10, 2024
SUBJECT: Surplus Property Request—K9 Bagheera

****Request for permission to declare K9 Bagheera as surplus property.****

I am writing to formally request permission from the Pelham City Council to declare Police K9 Bagheera as surplus property. Bagheera is a 4-year-old black labrador trained for explosive detection. Bagheera was donated to the Pelham Police Department by the University of Auburn canine program. K9 Bagheera is one of three explosive dogs currently utilized by the police department. Bagheera was used to perform crucial bomb sweeps during the World Games, along with another task over the past two years. K9 Bagheera and Handler Johnson received advanced training from Global K9. K9 Bagheera's handler was recently promoted and assumed additional duties that require his time. K9 Bagheera needs to be surplus to allow the police department to sell, transfer, donate, or other options for the good of the canine. This request aligns with our commitment to responsible resource management. I request that Pelham City Council review and consider this request at your earliest convenience. If necessary, I can provide additional information or address any concerns arising during the review process.

RESOLUTION 2024-02-05-02

Approving Heather Ridge Well Pump Replacement Project Summary Change Order No. 1 (FINAL) and Amending the FY2024 Water Capital Projects Budget

WHEREAS, the Pelham City Council adopted Resolution 2023-04-03-05 and accepted the lowest responsive and responsible bid of \$81,957.17 from Morrow Water Technologies for the Heather Ridge Well Pump Replacement Project; and

WHEREAS, the final cost exceeded the contract amount previously approved by the Pelham City Council due to additional work required for the pump replacement project; and

WHEREAS, the City of Pelham's engineer and engineering consultants, Municipal Consultants Inc., has recommended the approval of Summary Change Order No. 1 (Final) associated with increased costs incurred during the project.

NOW, THEREFORE, BE IT RESOLVED the Pelham City Council has determined it serves the public interest to accept and approve attached Summary Change Order No. 1 (Final) in the amount of \$1,187.35 related to additional work related to the Heather Ridge Well Pump Replacement Project and to authorize the Mayor to sign, on behalf of the City, the related agreements with Morrow Water Technologies for said summary change order. Munis Account No. 4005201-55480, Project No. 7123012.

Summary Change Order Request No. 1 (FINAL)

Original Contract Price	\$ 81,957.17
Change Order No. 1 (Final)	+ \$ 1,187.35
Revised Contract Price	\$ 83,144.52 (FINAL)

BE IT FURTHER RESOLVED to amend the Water Department's FY2024 Capital Projects Budget in the amount of \$1,187.35 for the Heather Ridge Well Pump Replacement Project.

THEREUPON _____, a councilmember, moved and _____, a councilmember, seconded the motion that Resolution 2024-02-05-02 be given vote, and said Resolution passed by a majority vote of all members of the Council present and the President of the Council declared the same passed and adopted.

ADOPTED this 5th day of February 2024.

Maurice Mercer, President of the Council

[SEAL]

ATTEST

Tom Seale, MMC, City Clerk/Treasurer

I, the undersigned City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City named herein, at a regular meeting of such Council held on the 5th day of February 2024 and that such Resolution is on file in the office of the City Clerk/Treasurer and that no action has been taken to rescind or modify said Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 5th day of February 2024.

Tom Seale, MMC, City Clerk/Treasurer

[SEAL]



MEMORANDUM

To: Andre' Bittas

Cc: Mike Eddington
James Barron

From: Andrew Golden

Date: January 29, 2024

Subject: Heather Ridge Well Pump Repair
Munis Acct No. 4005201-554850
Project No. 7123012

This project has been completed for \$1,187.35 over the contract amount for a final contract amount of \$83,144.52. Attached is a summary change order to reflect this difference for accounting purposes. This will require a budget amendment of \$1,187.35 to cover the additional work required to complete the repairs.

I am requesting that a resolution to execute the attached change order be placed on the City Council agenda for the next available meeting at your convenience.

If you have any questions or need additional information, please let me know.

HEATHER RIDGE WELL PUMP REPAIR
CHANGE ORDER

SECTION 00-2050 – Page 1 of 1

PUBLIC WORKS CONTRACT
CITY OF PELHAM

CHANGE ORDER

DATE: 1/5/24

CHANGE ORDER NO: 1

PROJECT: Heather Ridge
Well Pump Repair

CONTRACTOR: Morrow Water
Technologies, Inc.

CONTRACT DATE: July 20, 2023
COST CODE NO: _____
CONTRACT NO. _____

YOU ARE DIRECTED TO MAKE THE FOLLOWING CHANGES IN YOUR CONTRACT:

IN STRICT ACCORDANCE WITH THE CONTRACT DOCUMENTS YOU ARE INSTRUCTED TO FURNISH:

- Debris Removal from Well \$6,187.35
Owner's Directed Allowance will account for \$5,000 of the \$6,187.35

AMOUNT OF ORIGINAL CONTRACT	<u>\$81,957.17</u>
AMOUNT OF PREVIOUS CHANGES	<u>\$0.00</u>
AMOUNT OF THIS CHANGE	<u>\$1,187.35</u>
TOTAL AMOUNT OF ADJUSTED CONTRACT	<u>\$83,144.52</u>

NOTE: IT IS HEREBY UNDERSTOOD AND AGREED THAT THE ABOVE IS COMPENSATION IN FULL FOR CHANGES AS INDICATED. IT IS FURTHER UNDERSTOOD AND AGREED THAT ALL RIGHTS FOR ANY ADDITIONAL COMPENSATION ARE WAIVED CONCERNING THE CHANGES CONTAINED HEREIN.

Morrow Water Technologies, Inc.

City of Pelham

BY: Brian Callis
TITLE: Vice-President
DATE: 1/5/24

BY: _____
TITLE: Mayor
DATE: _____

RESOLUTION 2024-02-05-03

Considering the ABC License Application for Circle K Stores, Inc.
Operating Under the Trade Name Circle K Store 2709335

WHEREAS, the Pelham City Council has considered the ABC License application(s) for 050 – Retail Beer (Off Premises Only) and 070 - Retail Table Wine (Off Premises Only) for applicant Circle K Stores, Inc. operating under the trade name Circle K Store 2709335, located at Pelham Parkway, Pelham, Alabama 35124.

NOW, THEREFORE, BE IT RESOLVED by the Pelham City Council that the Pelham City Council hereby _____ the application(s) as submitted.
(approves or denies)

THEREUPON _____, a councilmember, moved and _____, a councilmember, seconded the motion that Resolution 2024-02-05-03 be given vote, and said resolution passed by a majority voice vote of all members of the Council present and the President of the Council declared the same passed and adopted.

ADOPTED this 5th day of February 2024.

Maurice Mercer, President of the Council

[SEAL]

ATTEST

Tom Seale, MMC, City Clerk/Treasurer

I, the undersigned City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City named herein, at a regular meeting of such Council held on the 5th day of February 2024 and that such resolution is on file in the office of the City Clerk/Treasurer and that no action has been taken to rescind or modify said Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 5th day of February 2024.

Tom Seale, MMC, City Clerk/Treasurer

[SEAL]



Pelham

A path apart.

MEMORANDUM

TO: MAYOR WATERS, CITY MANAGER DIFANTE AND CITY COUNCIL MEMBERS
FROM: CHIEF BRENT SUGG
DATE: JANUARY 11, 2024
SUBJECT: ABC LICENSE APPLICATION – BACKGROUND INVESTIGATION

The police department has conducted an investigation of the applicant(s) application for a transfer of an existing ABC license with the following results and recommendation.

The applicant is Circle K Stores, Inc., operating under the trade name Circle K Store 2709335, located at 3000 Pelham Parkway, Pelham, AL 35124. Circle K Stores, Inc. acquired the MAPCO Express Inc. store which was operating at this location. This is a transfer of the ABC license from MAPCO Express Inc. to Circle K Stores, Inc.

The applicant is requesting transfer of the following licenses: 050 – Retail Beer (Off Premise Only) license and 070 – Retail Table Wine (Off Premises Only) license.

A name only records check of the corporate member through ALEA disclosed no criminal record in the state of Alabama. The Pelham Police Department conducted an in-house name based check which revealed no negative information on the applicants.

The ABC Alcohol License Application has been reviewed by all pertinent City departments. The recommendations of the individual departments is recorded below. Additional information is available on the attached Department Review Form.

Department	Recommendation	Notes
Police Department	Yes	No negative in-house on owners/location
Fire Department	Yes	
Zoning	Yes	
Business License	Yes	
Building Department	Yes	
Water/Sewer	Yes	
Finance/Tax	Yes	

Based on our investigation of the applicants and the above information provided all pertinent departments, we recommend the Council's approval of the applicant's ABC license application.