



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

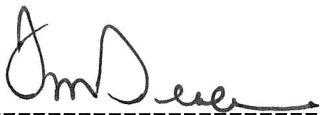
Councilmember Leverett mentioned a weapons policy at city facilities. City Attorney Arnold stated there is not much the city can do to regulate weapons and firearms at outdoor recreational venues. He suggested contacting our legislative delegation. Several exceptions were noted.

(End of the January 22, 2024 Agenda Review)

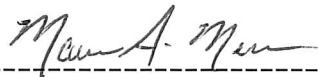
Adjournment

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

