



CITY COUNCIL WORK SESSION MINUTES

Pelham City Hall
Council Chambers
February 19, 2024 – 5:00 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, February 19, 2024 at 5:00 p.m. The regular work session was held in the Council Chambers 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 5:00 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 February 5, 2024 Regular Work Session Minutes and the February 13, 2024 Special 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.

Old Business

1. Discussion – Pelham Public Library Board Appointment

Council President Mercer reviewed the Pelham Public Library Board interviews held on February 5, 2024 and thanked those applicants for considering the appointment.

Discussion continued regarding the excellent qualifications of all three Library Board candidates, Amy Milling, Michael Papp, and Rhonda Wilson.

Councilmember Wash made a motion to move the name of Amy Milling forward for appointment to the Pelham Public Library Board, Place No. 2. The motion was seconded by Councilmember Coram. There being no further discussion, the motion passed by a unanimous voice vote of those members of the city council present. City Clerk/Treasurer Tom Seale stated Resolution 2024-02-19-01 would be a part of tonight's city council agenda for consideration to appoint Ms. Milling to the Pelham Public Library Board, Place No. 2.

2. Discussion – Pelham City Council Place No. 5 Vacancy

Council President Mercer reviewed the Pelham City Council Place No. 5 interviews held on February 13, 2024. He recommended a second round of interviews for the top three candidates, Michael Harris, Rhett Barnett, and Tomeka Wilson. Councilmember Coram concurred. Councilmember Wash noted the interview process used by the city council over the past four years. Councilmember Leverett reviewed the Civility and Cooperative Leadership Pledge which was a part of the council interviews last week. Council President Mercer stated how city council vacancy interviews were held in the past. Human Resources Director Tracy Hill explained the process of how employment interviews are usually conducted. She further stated hiring decisions are typically made following a single interview session. Councilmember Wash stated there is a clear winner, Michael Harris, among those interviewed and should stand on its own merit. Councilmember Leverett and Councilmember Wash stated they were not in favor of an additional round of interviews. Councilmember Coram spoke to having a second round. Council President Mercer voiced his concerns about Michael Harris and his business, Three M Karts & Mowers, a vendor of the city. City Attorney Josh Arnold stated there is clear guidance on how this would be treated going forward in the event Mr. Harris is appointed to the vacant council position. Mayor Waters weighed in on the discussion regarding the appointment. He stated he was not in favor of another round of interviews. Additional discussion followed among the members of the city council.

New Business

1. Discussion – Staff Review and Recommendations (CBD/Vape Ordinance/Moratorium)

Director of Development Services & Public Works Andre` Bittas reviewed the staff recommendations for revisions to the CBD/Vape ordinance. Building Official Sherri Procter continued a review of the major points in the proposed revisions. The suggestions include (1) all ordinances pertaining to vaping and CBD be separated from one another, (2) defining the square footage of the business devoted to vape and CBD products, (3) calculating the gross sales of the business as a qualifier, (4) increasing the distance requirement of new businesses that would seek to sell such products from the existing 500 feet to 1,000 feet, and (5) prohibit any such businesses from being approved in the city's overlay district.

Councilmember Coram and Councilmember Wash spoke in favor of the proposed ordinance revisions. Mr. Bittas offered a timeline for city council consideration in the coming months.

Review of February 19, 2024 City Council Agenda

Council President Mercer reviewed the February 19, 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 February 19, 2024 City Council Agenda
2. Approval of the February 5, 2024 Regular Council Meeting Minutes
3. **Resolution 2024-02-19-01** for consideration to appoint Amy Milling to the Pelham Public Library Board Place No. 2 effective February 19, 2024.

Council President Mercer stated Amy Milling has been recommended for an appointment to the Pelham Public Library Board, Place No. 2. He further stated the council can take official action during tonight's city council meeting with the adoption of Resolution 2024-02-19-01.

4. **Resolution 2024-02-19-02** for consideration to enter into a professional services agreement with KPS Group, Inc. to assist with a review and development of recommendations for revisions to the city's Zoning Ordinance. This expense was budgeted in FY2024.

Director of Development Services & Public Works Andre` Bittas stated during the FY2024 budget hearings funding was made available for assistance in reviewing and making recommendations to the city's current Zoning Ordinance. He further stated other areas of the Zoning Ordinance will be reviewed to ensure there are no conflicts with existing zoning regulations. Mr. Bittas said it is important code enforcement is a part of a revised Zoning Ordinance. He said the review is expected to take about 12 months due to the complexity of zoning and public hearings required. It was noted that the approved FY2024 budget for the Zoning Ordinance review project is \$35,000.00, requiring a budget amendment of \$10,630.00, for a total expense of \$45,630.00.

5. **Resolution 2024-02-19-03** for consideration to approve a three-year lease agreement with Deere Credit, Inc., for two (2) John Deere 2400 mowers and mowing accessories for Ballantrae Golf Club. This lease expense was budgeted in FY2024.

Ballantrae Golf Club General Manager Hal Brown stated Resolution 2024-02-19-03 is a request for two replacement tee mowers. Councilmember Coram spoke in favor of leasing the equipment versus purchasing.

6. **Resolution 2024-02-19-04** for consideration to approve a master contract with Alabama Power Company for public safety services. This expense was budgeted in FY2024.

Police Chief Brent Sugg addressed the city council and requested the council's consideration in approving a 24-month contract with Alabama Power Company for Flock cameras for the Police Department.

7. **Resolution 2024-02-19-05** for consideration to approve the 2024 contract with Pyro Shows of Alabama, Inc. for the city's annual "Fire on the Water" fireworks show on Wednesday, July 3, 2024 at Oak Mountain State Park. This expense was budgeted in FY2024.

Mayor Waters said the contract under consideration is for the city's annual fireworks show, Fire on the Water, celebrating Independence Day at Oak Mountain State Park. Councilmember Wash spoke in favor of continuing this tradition in Pelham.

F. Public Hearing(s) – None

G. Mayor's Report/Comments – None

H. Proclamation(s) by the Mayor and Others

1. Declaring February 2024 as National Parent Leadership Month in Pelham, Alabama

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 – None

(End of the February 19, 2024 Agenda Review)

Old Business - Continued

2. Discussion – Pelham City Council Place No. 5 Vacancy

City Manager Gretchen DiFante asked the city council for their timeline for further discussions regarding an appointment to fill the vacancy on the Pelham City Council, Place No. 5. She stated if the city council cannot reach a consensus on the appointment by March 8, 2024, Governor Ivey will have 30 days to fill the vacancy. She further stated if Governor Ivey fails to fill the vacancy the Shelby County Probate Judge is required to call a special election.

Council President Mercer requested discussion of the Pelham City Council Place No. 5 vacancy be added to March 4, 2024 Work Session Agenda.

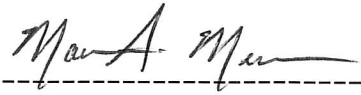
Adjournment

A motion to adjourn the work session was made by Councilmember Coram and seconded by Councilmember Wash. The motion passed unanimously by voice vote of those members present and the work session was adjourned at 6:12 p.m.

Respectfully submitted this 19th day of February 2024.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

