



CITY COUNCIL MEETING MINUTES

Pelham City Hall
Council Chambers
May 20, 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: May 20, 2024
Time: 7:00 p.m.
Place: Pelham City Hall – Council Chambers
Present: President of the Council Maurice Mercer
Councilmember Chad Leverett
Councilmember Rick Wash
Councilmember Michael Harris, Jr.
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 7:09 p.m. Mayor Waters led the invocation. The Pledge of Allegiance was led by Councilmember Harris.

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 on the agenda at the discretion of the presiding officer and City Council.

1. Approval of the May 20, 2024 City Council Agenda
2. Approval of the May 6, 2024 Regular City Council Meeting Minutes
3. **Resolution 2024-05-20-01** for consideration to enter into a service agreement with Credit Bureau Systems, Inc. d/b/a/ Ambulance Medical Billing to provide billing and recovery cost for the city's EMS transport services.
4. **Resolution 2024-05-20-02** for consideration of a request by AT&T for a special use permit for modifications to an existing telecommunications facility located at 7052 Highway 11.
5. **Resolution 2024-05-20-03** for consideration to accept the annual Municipal Water Pollution Prevention (MWPP) Program Report prepared by Municipal Consultants, Inc.
6. **Resolution 2024-05-20-04** for consideration to accept the most qualified bid from Mark Johnson Construction, LLC and authorize the Mayor to sign the Notice of Award for the Business Center Sewer Lift Station Improvements. This project was budgeted in FY2024.

- 7. **Resolution 2024-05-20-05** for consideration to enter into a contract with Perry Weather for a weather alert system to detect lightning at Pelham City Park. Funding was approved in the FY2024 budget.
- 8. **Resolution 2024-05-20-06** for consideration to declare certain personal property (Large Playground and Fence at Pelham City Park) of the City of Pelham, which are no longer needed for public or municipal purposes, as surplus.

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 Harris 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>
Michael Harris, Jr., 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 President of the Council 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

Mayor Waters proclaimed May 20-26, 2024 as Municipal Clerk’s Week “and further extended appreciation to our Professional Municipal Clerk, Thomas Randal Seale, for the vital services he performs and his exemplary dedication to the communities he represents by declaring May 20, 2024 as Tom Seale Day in the City of Pelham, Alabama.”

City Manager DiFante spoke to Mayor Waters’ Proclamation and recognized City Clerk Tom Seale.

REPORT OF THE CITY MANAGER

City Manager Gretchen DiFante made the following comments.

- The Cahaba Solid Waste Authority met on May 8, 2024 to discuss challenges with the Authority’s provider, Amwaste.

She stated while Homewood, Mountain Brook, and Hoover noted significant changes in service levels since moving to new routes which eliminated Saturday collections, Vestavia and Homewood reported they had dropped from 99% service levels to 97%. However, 91% of Pelham’s service issues were occurring in two neighborhoods.

AmWaste said they had plenty of vehicles and the main issue with service was drivers new to routes since the schedule changes.

Amwaste said they are implementing new software in all garbage trucks which will allow management to see real-time progression of where the trucks are and take photos of pick-ups at each location. This new technology will allow Amwaste to direct additional resources much quicker to a route running behind. This new technology will first be rolled out in Hoover this month with other cities to follow.

Amwaste also answered questions on its Hydraulic Leak policy which focuses on preventative maintenance. When notified of a leak or when a driver suspects a leak, they are to report it. Cleaning involves a solution of soap and water and allowing it to dry. While this reduces staining, the road will never look like it did before the fluid was spilled because you are putting oil on an oil base product, and it will leave a stain.

Amwaste was asked to provide us with information we can use to educate our residents about hydraulic leaks and clean up.

- Xterra's North American Championship was held last week at Oak Mountain State Park and was successful. She said lots of people were talking about how great Pelham was. She noted Finance Director Jamie Wagner's son, Eli Wagner, finished in 4th place.
- On Saturday, I had the privilege to attend the ribbon cutting at Oak Mountain State Park's newly renovated campground sites, playground, and dog park, including a beautiful club house and bath facilities.
- She noted June 20th is the 20th anniversary of Ballantrae Golf Club. She said the golf course has grown to be incredibly successful.

REPORT OF THE CITY ATTORNEY – None

REQUEST(S) TO ADDRESS THE COUNCIL – None

OLD BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Ordinance No. 517** for consideration to declare certain real property of the City of Pelham, Alabama is no longer needed for municipal purposes and to further donate the property to the Alabama Department of Transportation as a part of the Alabama Highway 261 widening project. The real property is located at the intersection of North Chandalar Drive and Alabama Highway 261 (Pelham Fire Station No. 4). The First Reading of Ordinance No. 517 was on May 6, 2024.

Councilmember Leverett moved to adopt Ordinance No. 517 as presented and Councilmember Harris 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. 517. The roll call vote 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>
Michael Harris, Jr., Council Member	<u>Yes</u>

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Resolution 2024-05-20-07** for consideration of an ABC license application for a 011 Lounge Retail Liquor-Class II Liquor (Package) License for applicant Al Dolah, Inc., operating under the trade name Pelham Liquor Store located at 3569 Pelham Parkway, Suite 10, Pelham, Alabama 35124, was introduced by Council President Mercer.

Councilmember Harris moved to deny and adopt Resolution 2024-05-20-07 and Councilmember Wash seconded the motion.

There being no further discussion, the motion to adopt Resolution 2024-05-20-07 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

2. **Ordinance No. 518** for consideration to repeal Ordinance No. 429 in its entirety regarding occupancy requirements for residential structures.

Ordinance No. 518 was introduced and read in its entirety by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 518 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.

3. Set a date and time for a public hearing to consider Ordinance No. 135-261, to amend the zone district boundaries of the City of Pelham changing the present zoning O-I (Office and Institutional District) to E-1 (Estate Residential District) for property located along the east side of Bearden Road, across from Pelham High School. Owner: Joey White and Shannon White.

It was the consensus of the city council to set June 3, 2024 at 7:00 p.m. for the public hearing to consider Ordinance No. 135-261.

4. Set and date and time for a public hearing to consider Ordinance No. 135-262, revisions to the Code of Ordinances, City of Pelham, Appendix A, Article XV, Section 14, and Section 16 regarding additional regulations for vape shops and CBD stores in B-2 (General Business District) zones.

It was the consensus of the city council to set June 3, 2024 at 7:00 p.m. for the public hearing to consider Ordinance No. 135-262.

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 or questions from the public.

CITY COUNCIL COMMENTS

Councilmember Leverett spoke to Mayor Waters' proclamation and thanked City Clerk/Treasurer Tom Seale for his service. He announced the theme for the 2024 Christmas Parade is "Christmas Past and Present."

Councilmember Wash stated having attended a recent Pelham school board meeting where several teachers, administrators, and students were recognized. He said he attended a reception last Thursday for a large group of Xterra participants. He said the Xterra event was a great tournament and he enjoyed meeting individuals from all over. He thanked Communications Manager Ainsley Allison and Director of Economic Development Michael Simon for "shining a bright light on the city" during the Xterra event. Councilmember Wash spoke to Mayor Waters' proclamation and Tom Seale's dedication to the city.

Councilmember Harris noted having attended the opening of the new playground at Pelham City Park. He thanked the City Council, Director of Development Services & Public Works Andre` Bittas, and Director of Parks & Recreation Brian Cooper.

Council President Mercer spoke to the opening of the new playground at Pelham City Park. He said it was a great place to play in Pelham. He thanked Parks & Recreation Director Brian Cooper and the staff. Reported having attended the ALM annual convention last week in Huntsville where he learned a lot. He mentioned City Manager Gretchen DiFante was in attendance. Council President Mercer concurred with Mayor Waters, fellow councilmembers, and City Manager DiFante regarding their comments about City Clerk Tom Seale. He further stated Tom keeps us on track. He informed the city council of a recent law passed by the Alabama Legislature requiring 10 hours of continuing education training per year for elected municipal officials beginning in 2025.

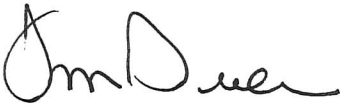
PUBLIC ANNOUNCEMENTS

1. The 2024 Pelham High School graduation will be held on Thursday, May 23rd at 6:00 p.m. at the Pelham Civic Complex & Ice Arena. Tickets are required to attend.
2. Pelham City Offices will be closed Monday, May 27th in observance of Memorial Day.

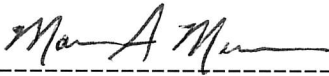
ADJOURNMENT

With no other business before the city council, Councilmember Wash moved to adjourn the council meeting and Councilmember Harris seconded the motion. By voice vote the motion passed unanimously by those members present and the meeting was adjourned at 7:42 p.m.

Respectfully submitted this 20th day of May 2024.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

