



CITY COUNCIL WORK SESSION MINUTES

Pelham City Hall
Council Conference Room
May 6, 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, May 6, 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 Rick Wash
Councilmember Michael Harris, Jr.
Mayor Gary Waters

The following elected official was not present:

Councilmember Chad Leverett

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 April 15, 2024 Regular Work Session Minutes.

The motion was seconded by Councilmember Harris. There being no further discussion, the council president announced the motion passed by a unanimous voice vote of those members present.

Request to Address the City Council

Dr. Chuck Ledbetter, Superintendent, Pelham City Schools, addressed the city council. He noted the participation by Mayor Waters, City Manager DiFante, Council President Mercer, Councilmember Coram, and Councilmember Harris in the school's strategic planning session last week. He thanked the city for the use of their facilities at City Hall.

Executive Session

Council President Mercer stated for the record the purpose of the Executive Session is to discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property, provided, however, that the material terms of any contract to purchase, exchange, or lease real property shall be disclosed in the public portion of a meeting prior to the execution of the contract as defined in Section 36-25A-7(6)(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(6)(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 Harris. 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>Not Present</u>
Rick Wash, Council Member	<u>Yes</u>
Michael Harris, Jr., Council Member	<u>Yes</u>

Council President Mercer asked the members of the city council, Mayor Waters, City Manager Gretchen DiFante, City Attorney Josh Arnold, Director of Economic Development Michael Simon, Director of Development Services & Public Works Andre` Bittas, 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 30 minutes. The city council went into Executive Session at 4:40 p.m.

Councilmember Wash moved to adjourn the Executive Session. Said motion was seconded by Councilmember Harris. The motion passed unanimously by voice vote of those members present and the Executive Session was adjourned at 5:08 p.m.

Council President Mercer called the work session back to order at 5:10 p.m.

Introduction

Cole Bodnar, Family Controller, The Bodnar Group, and Jeff Gordon, Chief Administrative Officer, Fresh Hospitality, LLC, representing Waldo's Chicken & Beer, were present and introduced by Director of Economic Development Michael Simon. Council President Mercer welcomed Mr. Bodnar and Mr. Gordon. They provided a brief history of the company and expressed their excitement at moving into the Pelham market.

New Business

1. Discussion – Edgar's Bakery and Café

Director of Economic Development Michael Simon reviewed the incentive package currently under consideration with Edgar's Bakery and Café. Terry Smith, owner of Edgar's Bakery and Café, addressed the city council. He gave a brief history of the company which was founded in 1998. The city council spoke to their enthusiasm about Edgar's partnership with the city.

Old Business

1. Discussion – Hotel Feasibility and Market Study

Director of Economic Development Michael Simon stated having brought this item for city council review on April 15, 2024. He discussed the hotel concept on the three designated sites. He stated the market study will take about five weeks. Mr. Simon said he has applied for grant funding to pay for a portion of the study.

New Business - Continued

2. Discussion – Occupancy Regulations for Residential Structures (Ordinance No. 429)

City Manager Gretchen DiFante gave a brief overview of Ordinance No. 429 which restricts bedroom occupancy to a maximum of two adults. She noted the difficulties enforcing the Ordinance. City Manager DiFante suggested repealing Ordinance No. 429 in its entirety. City Attorney Josh Arnold provided information from surrounding cities. He noted the life safety issues having too many people occupying a residential structure. The city council asked the city clerk/treasurer to draft an ordinance for the May 20, 2024 council work session to discuss repealing Ordinance No. 429. City Manager DiFante stated the city is beginning to look at business licenses for residential housing rentals.

3. Review – City Facilities Signage Plan

Director of Development Services & Public Works Andre` Bittas and Communications Manager Ainsley Allison reviewed the signage guidelines for the city's facilities developed by Macknally Land Design as a part of their landscape architecture and planning services. Mr. Bittas stated an item on tonight's agenda is the approval of signage at Pelham City Park. He said the city will put together a bid package for the purchase and installation of additional signage throughout the city to ensure consistency.

4. Discussion – Parks & Recreation

Parks & Recreation Director Brian Cooper discussed the following topics.

a. Parks Outdoor Warning System (Lightning) & Weather Station

Mr. Cooper explained the outdoor weather warning system and stated it is a budgeted item in FY2024.

b. Park @ Campus No. 124 Operating Hours

Mr. Cooper noted the operating hours for the Park at Campus No. 124 are sunrise until 10:00 p.m..

c. Pelham Senior Center – Non-Shelby County Residents Membership Fees

Mr. Cooper said there are currently 835 members at the Pelham Senior Center, 88 of which are from outside Shelby County. He requested the authority to charge a non-resident of Shelby County a membership fee at the Pelham Senior Center. The city council asked Mr. Cooper to review the recommendations for a follow-up presentation.

5. Discussion - Communications

Councilmember Coram discussed providing information to the public to avoid any misunderstandings. Councilmember Wash stated the importance of allowing city staff to perform their duties. He said the city is transparent and how the public receives and interprets the information provided is up to them. Additional discussion followed regarding being truthful and professional with the facts when reporting discussions and decisions of the city council.

6. Discussion – Zoning Advisory Board Appointment

City Manager Gretchen DiFante addressed the city council regarding an appointment to the city's Zoning Advisory Board. She stated the Advisory Board's kickoff meeting would be the first week of June. Discussion followed to name a city council representative to attend the 90-minute meeting on Wednesday, June 5, 2024.

7. Discussion – Pelham Parks & Recreation Advisory Board Interviews: Date and Time

Council President Mercer led the discussion regarding a date and time to interview the five applicants for the vacant position of the Pelham Parks & Recreation Advisory Board, Place No. 7. Council President Mercer asked the city clerk/treasurer to contact each applicant about their availability on June 17, 2024 at 4:00 p.m.

Review of May 6, 2024 City Council Agenda

Council President Mercer reviewed the May 6, 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 May 6, 2024 City Council Agenda
2. Approval of the April 15, 2024 Regular Council Meeting Minutes
3. **Resolution 2024-04-15-06** for consideration to enter into an agreement with Cushman & Wakefield of Georgia, LLC to conduct a Hotel Feasibility and Market Study for the City of Pelham. This project was approved in the FY2024 budget.

There were no questions or comments from the city council.

4. **Resolution 2024-05-06-01** for consideration to enter into a contract with SportsConductor, LLC (Jarvis) for interleague scheduling software. Funding was approved in the FY2024 budget.

There were no questions or comments from the city council.

5. **Resolution 2024-05-06-02** for consideration to authorize a consulting contract with Human Resource Management, Inc. (HRM) for services related to updating the city's Compensation Administration Plan. Funding was approved in the FY2024 budget.

Human Resources Director Tracy Hill stated the city has been using HRM since 2018. She said they will initiate market studies to review job descriptions and salaries in our area. She further stated HRM will make recommendations to the city to remain compliant with state and federal law. HRM has stated the study can be completed within 14 days and the project will be finalized in 60 days. Mrs. Hill said the Compensation Administration Plan survey is budgeted in FY2024.

6. **Resolution 2024-05-06-03** for consideration to approve a proposal from Sweetwater Construction, LLC for the sitework and installation of a new entrance sign for Pelham City Park. This project was approved in the FY2024 budget.

There were no questions or comments from the city council.

7. **Resolution 2024-05-06-04** for consideration to approve a public works contract with Cahaba Glass Company for the installation of new doors and emergency hardware at four well houses. This project was approved in the FY2024 budget.

Director of Development Services & Public Works Andre` Bittas stated the public works contract is to replace the doors and door casings with fiberglass at each well house to minimize the effects of corrosion.

8. **Resolution 2024-05-06-05** for consideration to approve the lowest and most responsible bid from Rast Construction, Inc. for the Shelby County Highway 35 and 361 Water Main Replacement Project and authorize the mayor to sign a Notice of Award. This project was approved in the FY2024 budget.

Director of Development Services & Public Works Andre` Bittas stated this is the fifth PVC replacement project.

F. Public Hearing(s) – None

G. Mayor's Report/Comments

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

I. Report of the City Manager

- Mayor Waters stated the city's Civil Service Act (Act) has been passed by both houses of the Alabama Legislature. He said the Act will become law on Wednesday, with or without Governor Ivey's signature. Mayor Waters stated the Act will be effective on October 1, 2024.

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 2024-05-06-06** for consideration of an ABC license application for a 020 Restaurant Retail Liquor License for applicant Hit Different, LLC operating under the trade name Hit Different Barbeque and Grill located at 3569 Pelham Parkway, Suites 1 and 2, Pelham, Alabama 32124.

Chief Brent Sugg introduced a representative from Hit Different Barbeque. Chief Sugg stated there were no issues with the ABC application. The Hit Different representative said Hit Different began as a food truck and will be expanding into a brick-and-mortar store. She said they look forward to opening in Pelham. Councilmember Coram asked her several questions about the operation of the restaurant.

2. **Resolution 2024-05-06-07** for consideration of an ABC license application for a 020 Restaurant Retail Liquor License for applicant Tequilas Mexican Grill and Cantina, LLC operating under the trade name Tequilas Mexican Grill and Cantina located at 3018 Pelham Parkway, Suite 101, Pelham, Alabama 32124.

Chief Brent Sugg stated Tequilas application has been reviewed by each city department. He stated having no issues with the ABC application. The representatives explained the type of food they will be serving. The city council spoke highly of the restaurant and approval of the ABC license transfer.

3. **Resolution 2024-05-06-08** for consideration of an ABC license application for a 020 Restaurant Retail Liquor License for applicant El Comal Mexican Restaurant 4 LLC, operating under the trade name El Comal Mexican Restaurant 4 LLC, located at 2698 Pelham Parkway, Pelham, Alabama 35124

Chief Brent Sugg stated El Comal Mexican Restaurant ABC application was reviewed by each city department. He stated having no issues with the ABC application. The restaurant representative described the food menu and the anticipated opening date. She said this will be their fourth location and will serve beer, wine, and mixed drinks. She stated the Responsible Vendor Program training will be conducted by the Alabama Beverage Control Board (ABC). She further stated the alcohol inventory will be stored in a secure area. The council welcomed El Comal Mexican Restaurant to Pelham.

4. **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). First Reading.

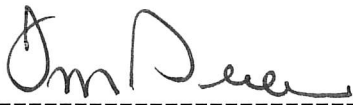
Director of Development Services & Public Works Andre` Bittas stated the real property donation to the State of Alabama is a part of the Alabama Highway 261 widening project.

(End of the May 6, 2024 Agenda Review)

Adjournment

A motion to adjourn the work session was made by Councilmember Coram and seconded by Councilmember Harris. The motion passed unanimously by voice vote of those members present and the work session was adjourned at 6:59 p.m.

Respectfully submitted this 6th day of May 2024.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

