



CITY COUNCIL MEETING MINUTES

Pelham City Hall

Council Chambers

June 3, 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: June 3, 2024
Time: 7:00 p.m.
Place: Pelham City Hall – Council Chambers
Present: President of the Council Maurice Mercer
Councilmember David Coram
Councilmember Rick Wash
Councilmember Michael Harris, Jr.
Mayor Gary Waters

Not Present: Councilmember Chad Leverett

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 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 June 3, 2024 City Council Agenda
2. Approval of the May 20, 2024 Regular City Council Meeting Minutes and the May 24, 2024 Special City Council Meeting Minutes
3. **Resolution 2024-06-03-01** for consideration to approve a tax abatement agreement between the City of Pelham, PrintsWell, Inc. and Amazing Grace Properties, LLC.
4. **Resolution 2024-06-03-02** for consideration to approve job descriptions and associated pay for the positions of IT Systems Analyst, IT Systems Analyst-Public Safety, and GIS Administrator within the IT Department previously reviewed and approved by the Pelham Personnel Board. Funding for the positions will be considered in the IT FY2024 mid-year budget recommendations.
5. **Resolution 2024-06-03-03** for consideration to accept responsibility for the electrical bill for eleven (11) new streetlights in the Simms Landing Subdivision, Sector 2-B and 3.

- 6. **Resolution 2024-06-03-04** authorizing the release of street bond money and accepting the dedication of certain public streets(s), sidewalks and rights-of-way located in the Grey Oaks Subdivision, Phase 6, previously approved by the Pelham Planning Commission.
- 7. **Resolution 2024-06-03-05** authorizing the release of street bond money and accepting the dedication of certain public streets(s), sidewalks and rights-of-way located in the Ballantrae Subdivision, Strathaven at Ballantrae, Sectors 2, 3, and 4 previously approved by the Pelham Planning Commission.
- 8. **Resolution 2024-06-03-06** for consideration to approve a request for a right-of-way condemnation pursuant to Section 18-3-1, Code of Alabama (1975) as amended, for applicant Allison Mitchell.
- 9. **Resolution 2024-06-03-07** for consideration to adopt revised Pelham Park and Recreation Rules to have authority over city parks and other city owned recreational lands.
- 10. **Resolution 2024-06-03-08** for consideration as a part of the mid-year review to authorize the amending of the city's FY2024 operating, and capital projects budgets as referenced and detailed in attached Exhibit A.

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 Wash 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>Not Present</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)

Councilmember Coram moved to recess the city council meeting to hold two public hearings for which proper notice had been given. The motion was seconded by Councilmember Wash and approved unanimously by voice vote of those members present. The council meeting recessed at 7:03 p.m.

Council President Mercer explained the purpose of the first public hearing is 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.

Council President Mercer announced the public hearing was in session regarding the request to consider Ordinance No. 135-261.

Director of Development Services & Public Works Andre` Bittas gave an overview of proposed Ordinance No. 135-261.

Council President Mercer stated the city council would now hear comments both for and against the adoption of Ordinance No. 135-261.

Speaking in favor of the proposed Ordinance No. 135-261:

- Penny Miller, 181 Horn Drive, Shelby, Alabama 35143, with Re/Max Advantage, 2635 Valleydale Road, Birmingham, Alabama 35244, representing the property owners, spoke in favor of the rezoning request. She provided the city council with proposed site plans under consideration.

Speaking against the proposed Ordinance No. 135-261:

- No member of the public spoke against Ordinance No. 135-261.

Council President Mercer stated the public hearing to consider Ordinance No. 135-261 has now concluded.

Council President Mercer explained the purpose of the second public hearing is to consider the adoption of Ordinance No. 135-262 regarding potential revisions to the Code of Ordinances, City of Pelham, Appendix A, Article XV, Section 14, and Section 16 regarding additional regulations for CBD stores and vape shops in B-2 (General Business District) zones.

Council President Mercer announced the second public hearing was in session regarding the request to consider the adoption of Ordinance No. 135-262.

Director of Development Services & Public Works Andre` Bittas gave an overview of proposed Ordinance No. 135-262.

Council President Mercer stated the city council would now hear comments both for and against the adoption of Ordinance No. 135-262.

Speaking in favor of Ordinance No. 135-262:

- No member of the public spoke in favor Ordinance No. 135-262

Speaking against Ordinance No. 135-262:

- No member of the public spoke against Ordinance No. 135-262.

Council President Mercer stated the public hearing to consider Ordinance No. 135-262 has now concluded.

Council President Mercer called the June 3, 2024 City Council meeting back to order at 7:11 p.m.

MAYOR'S REPORT/COMMENTS – None

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

REPORT OF THE CITY MANAGER

City Manager Gretchen DiFante made the following comments.

- Noted the significant increase in the rounds of golf at Ballantrae Golf Club from 3,768 in April 2018 to 5,017 in April 2024.
- The Pelham Public Library reports 206 have signed up for the Summer Reading Program. She said during the first week of the Summer Reading Program they read over 11,000 minutes.
- The Zoning Advisory Board will meet on Wednesday to begin the process of reviewing and recommending revisions to the city's Zoning Ordinance. She mentioned the members who will be participating in the discussions. She stated Finance Director Jamie Wagner will be reviewing the city's business license ordinance.
- Introduced Lucas Kalba, a junior at Pelham High School. She said Lucas will be serving as an intern in the City Manager's office this summer.

REPORT OF THE CITY ATTORNEY – None

REQUEST(S) TO ADDRESS THE COUNCIL – None

OLD BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Ordinance No. 518** for consideration to repeal Ordinance No. 429 in its entirety regarding occupancy requirements for residential structures. First Reading was on May 20, 2024.

Ordinance No. 518 was reintroduced by Council President Mercer.

Councilmember Wash moved to adopt Ordinance No. 518 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. 518.

City Manager DiFante noted she and Mayor Waters had asked the city council to repeal Ordinance No. 429, which she stated is unenforceable. She said a part of the Zoning Ordinance revisions will be to review and make recommendations regarding residential occupancy.

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>Not Present</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 Ordinance No. 518 passed unanimously by roll call vote of those members present and the President of the Council declared the same passed and adopted.

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. 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.

Ordinance No. 135-261 was introduced and read in its entirety by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 135-261 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.

2. 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 CBD stores and vape shops in B-2 (General Business District) zones.

Ordinance No. 135-262 was introduced, and a summary was read by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 135-262 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.

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 Coram stated we have great schools in Pelham. He explained home schooled students are eligible to participate in public school sports. He stated his daughter is the first to take advantage of this opportunity in the Pelham School System. He reminded everyone the grand opening of Park 124 is this Saturday from 4:00 p.m. to 9:00 p.m. Councilmember Coram thanked Parks & Recreation Director Brian Cooper and his staff.

Councilmember Wash said he recently took his grandchildren to the city's new splash pad. He said there was a lot of activity, and everyone was having a great time. He encouraged everyone to visit our parks. He thanked Parks & Recreation Director Brian Cooper and his staff.

Councilmember Harris thanked Director of Development Services & Public Works Andre` Bittas and his staff for their excellent work in getting the streets cleared following the severe storms last weekend.

Council President Mercer stated having attended Pelham High School's 2024 graduation. He said he was proud of the graduates and the comments made by Mayor Waters. He noted having attended the Alabama City County Management Association's (ACCMA) annual convention last week. He said he gained a lot of insight into what is going on in other cities. He noted City Manager DiFante is the incoming President-Elect of ACCMA.

PUBLIC ANNOUNCEMENTS

- 1. The grand opening of Park 124 will be on Saturday from 4:00 p.m. until 9:00 p.m.

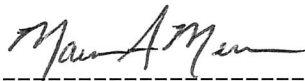
ADJOURNMENT

With no other business before the city council, Councilmember Coram 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 7:33 p.m.

Respectfully submitted this 3rd day of June 2024.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

