



CITY COUNCIL WORK SESSION MINUTES

Pelham City Hall
Council Conference Room
September 16, 2024 – 4:30 p.m.

Proper notice of the regularly scheduled work session of the Pelham City Council was given in advance of such public meeting and the notice remained posted throughout the scheduled meeting.

Members of the Pelham City Council met on Monday, September 16, 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 Michael Harris, Jr.
Mayor Gary Waters

The city clerk/treasurer recorded the attendance of the elected officials and announced a quorum was present. City Manager Gretchen DiFante, City Attorneys Josh Arnold and Jonathan 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 September 4, 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.

Executive Session

Council President Mercer stated for the record the purpose of the Executive Session is to discuss the legal ramifications of and legal options for pending litigation, controversies not yet being litigated, but imminently likely to be litigated if the governmental body pursues a proposed course of action pursuant to Section 36-25A-7(3)(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(3)(a), Code of Alabama 1975, as amended.

A motion was made by Councilmember Wash 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>Yes</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, City Attorney Jonathan Arnold, Police Chief Brent Sugg, Director of Development Services & Public Works Andre` Bittas, Assistant City Manager Justin Smith, Finance Director Jamie Wagner, 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 35 minutes. The city council went into Executive Session at 4:33 p.m.

Councilmember Coram 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 4:58 p.m.

Council President Mercer called the work session back to order at 4:59 p.m.

Old Business

1. Review – Ordinance No. 267-04 - Compensation of the Mayor and Councilmembers

Council President Mercer led the discussion regarding the compensation of the mayor and councilmembers which would become effective on November 3, 2025, as a part of the FY2026 budget.

Members of the city council discussed several compensation options for the mayor and city council for the next term of office. Council President Mercer asked each councilmember to consider discussing and making recommendations regarding the compensation during the October 7, 2024 work session. Attorney Josh Arnold was asked to review the compensation paid to the mayor as superintendent of the Water Department.

2. Discussion – Proposed FY2025 Operating and Capital Budgets, and Debt Service Schedule

Council President Mercer and City Manager DiFante asked if there were any questions regarding the proposed FY2025 budgets.

Councilmember Coram questioned earmarking funds for the Parks & Recreation improvements. City Manager DiFante stated the city council is agreeing to move forward with the design of the park upgrades. She further explained the city council would be required to authorize, by resolution, construction of the Parks & Recreation projects at a point in the future.

New Business

1. Demonstration – Placer AI

Communications and Branding Manager Ainsley Allison introduced Ty Burgess, representing Placer AI. Mr. Burgess joined the work session by Zoom. Mr. Burgess demonstrated the Placer AI database, to include:

- Visualize and understand how people move around in the areas you care about, from states and zip codes down to specific neighborhoods and venues.
- Identify areas of growth and decline in the marketplace. Understand the effect of market conditions on a property before feeling the impact on revenue.
- Informed site selection, marketing campaigns, and strategic offerings with foot traffic data, cross-shopping intelligence, and trade area analysis.

City Manager DiFante stated her department, Parks & Recreation, Economic Development, and other city recreational facilities would have access to the data. Communications Manager Ainsley Allison explained the benefits of the data for the city. Mr. Burgess, in response to several city council questions, assured those in attendance private data would not be collected by Placer AI.

2. Discussion – Dissolution of the Campus No. 124 and The Canopy Cooperative Districts

City Manager Gretchen DiFante discussed the Campus No. 124 and The Canopy Cooperative Districts. She stated there are two resolutions on tonight's city council agenda to request the directors of the Cooperative Districts to dissolve each district. City Manager DiFante explained the improvements have been completed in each district and there are no debts or assets in either. She stated the resolutions offers city council support to dissolve each district.

3. Discussion – Short Term Residential Rentals

City Manager DiFante stated the city is currently reviewing the zoning ordinance which does not allow short term residential rentals. She further stated there are several short-term residential rentals operating in Pelham. Asst. City Manager Justin Smith led the discussion regarding short term residential rentals. He has prepared a resolution establishing a moratorium for city council consideration. Asst. City Manager Smith said enforcement action can still be brought against the rentals as a nuisance violation, if necessary. City Manager DiFante said a revision to the city's noise ordinance is currently under review by the police department. City Attorney Josh Arnold stated covenants established by HOA's are another level of enforcement. Additional discussion followed among the members of the city council, city staff, and city attorney.

Council President Mercer reviewed the September 16, 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 on the agenda at the discretion of the presiding officer and City Council.

1. Approval of the September 16, 2024 City Council Agenda
2. Approval of the September 4, 2024 Regular Council Meeting Minutes
3. **Resolution 2024-09-16-01** for consideration to accept the most responsive and responsible single bid and enter into an agreement with Mark Johnson Construction, LLC for RAS pump replacements at the Pelham Wastewater Treatment Plant. This project has been budgeted in FY2024.

Director of Development Services & Public Works Andre` Bittas recommended accepting the bid from Mark Johnson Construction, LLC to replace three of the five RAS pumps at the Wastewater Treatment Plant. He stated the project was budgeted in FY2024.

4. **Resolution 2024-09-16-02** for consideration to request the Board of Directors of the Campus No. 124 Cooperative District to dissolve said District on a date certain pursuant to Section 11-99B-15, Code of Alabama (1975), as amended.

There were no additional questions or comments from the city council.

5. **Resolution 2024-09-16-03** for consideration to request the Board of Directors of The Canopy Cooperative District to dissolve said District on a date certain pursuant to Section 11-99B-15, Code of Alabama (1975), as amended.

There were no additional questions or comments from the city council.

6. **Resolution 2024-09-16-04** for consideration to approve a Tax Abatement Agreement between the City of Pelham, Alabama, Morin Process Equipment, Inc., and CED Real Estate, LLC.

There were no additional questions or comments from the city council.

7. **Resolution 2024-09-16-05** for consideration to opt-out of recent and future PFAS legal settlements, per the recommendation of the City's legal counsel, Beasley Allen.

City Attorney Josh Arnold explained Beasley Allen attorney Matt Griffith had recommended the city opt-out of the current and future PFAS settlement. He said Resolution 2024-09-16-05 addresses those issues.

F. Public Hearing(s) – None

G. Mayor's Report/Comments – None

H. Proclamation(s) by the Mayor and Others

1. Declaring September 17-23, 2024 as Constitution Week in the City of Pelham

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. **Resolution 2024-09-16-06** for consideration to approve an Eagle Scout Project to construct exercise stations and install benches in Carroll Park previously approved by the Pelham Parks & Recreation Advisory Board, pending review and approval by a structural engineer.

Director of Parks & Recreation Department Brian Cooper outlined the proposed Eagle Scout Project, which was previously approved by the Parks & Recreation Advisory Board. Eagle Scout candidate Cliff Windham reviewed his proposed Eagle Scout Project with the city council. He stated he would like to start construction in November 2024. The city council spoke in support of Mr. Windham's Eagle Scout Project.

2. **Resolution 2024-09-16-07** for consideration to approve the FY2025 Operating and Capital Budgets, and Debt Service Schedule.

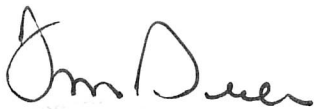
Councilmember Wash spoke to the process, organization, preparation, and presentation of the FY2025 budgets. He expressed his appreciation to the city staff for their dedication and hard work. Councilmember Coram thanked the city staff. There were no additional comments or questions from the city council.

(End of the September 16, 2024 Agenda Review)

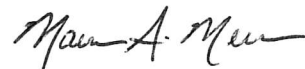
Adjournment

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 6:16 p.m.

Respectfully submitted this 16th day of September 2024.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

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