



CITY COUNCIL WORK SESSION MINUTES

Pelham City Hall

Council Chambers

March 17, 2025 – 4:00 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, March 17, 2025 at 4:00 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 4:00 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 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 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 March 3, 2025 Regular Work Session Minutes, the March 7, 2025 and March 10, 2025 Special Work Session Minutes.

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

Interviews – Commercial Development Authority

▪ Eden Roy	4:00 p.m.
▪ Chris Arvin	4:13 p.m.
▪ Keltin Garrett	4:34 p.m.
▪ Billy Carroll	4:44 p.m.
▪ Matt Jaeh	4:54 p.m.
▪ James Weldon	Not Present

It was noted for the record the Commercial Development Authority interviews ended at 5:09 p.m.

Request to Address the City Council – None

Old Business

1. Discussion – Pelham Board of Education Place No. 2 Appointment

Further discussion followed among the members of the city council regarding the Pelham Board of Education Place No. 2 appointment. It was the consensus of those members of the city council present to continue the discussion after the city council meeting in an Executive Session as allowed by Section 36-25A-7(a)(1), Code of Alabama 1975, as amended. City Attorney Josh Arnold agreed with the stated purpose.

New Business

1. Presentation – Pelham City Park Improvements

Director of Parks & Recreation Brian Cooper and Michael Shows with Chambliss King Architects presented renderings of the proposed improvements to the ballfields and common areas at Pelham City Park.

2. Discussion – Revisions to the City of Pelham Zoning Ordinance

Director of Development Services & Public Works André Bittas and Jason Fondren, Principal Planner with KPS Group, Inc., addressed the city council and presented an overview of the proposed, amended Zoning Ordinance.

3. Discussion – Revisions to the City of Pelham Business License Ordinances

Assistant City Manager Justin Smith and Finance Director Jamie Wagner addressed the city council and presented an overview of the proposed changes to the business license ordinance. Mr. Smith stated the proposed changes would amend ordinances no longer in effect and create clearer language moving forward.

Review of March 17, 2025 City Council Agenda

Council President Mercer recognized City Manager Gretchen DiFante to review the March 17, 2025 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 one 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 March 17, 2025 City Council Agenda
2. Approval of the March 3, 2025 Regular Council Meeting Minutes
3. **Resolution 2025-03-17-01** for consideration to approve the FY2024 Carry-Forward Capital Project Funding

Finance Director Jamie Wagner stated the carry-forward is an annual recommendation made by the City's independent auditors at the conclusion of the annual audit.

4. **Resolution 2025-03-17-02** for consideration to accept the City of Pelham's Fiscal Year 2024 audit as prepared and presented by Truitt Tingle Paramore & Argent, LLC, Certified Public Accountants, the city's independent auditors

Finance Director Jamie Wagner stated she recommended the acceptance of the FY2024 audit presented by the City's independent auditors.

5. **Resolution 2025-03-17-03** for consideration to enter into a renewal agreement with RiverTree Systems, Inc. for external sales and use tax audits

Finance Director Jamie Wagner stated the City has used RiverTree Systems, Inc. for many years and she recommended approval of the new three-year agreement.

6. **Resolution 2025-03-17-04** for consideration to approve an Alabama Department of Revenue Tax Abatement Agreement between the City of Pelham, Alabama and Specification Rubber Products, Inc.

City Manager Gretchen DiFante stated Amy Sturdivant with 58, Inc. has stepped in and is assisting the City and the applicant with the tax abatement agreement. She provided handouts to the city council and noted the updates to correct previously used language.

7. **Resolution 2025-03-17-05** for consideration to amend the FY2025 General Fund-City Clerk/Treasurer budget for anticipated expenditures related to the 2025 municipal elections

City Manager Gretchen DiFante stated funds for the 2025 municipal elections were accidentally omitted from the FY2025 budget. She stated the resolution would amend the budget by \$30,000.00.

8. **Resolution 2025-03-17-06** for consideration to appoint the City Clerk/Treasurer as the Assistant Elections Manager for the City of Pelham's 2025 municipal elections

City Manager Gretchen DiFante stated City Clerk/Treasurer Jonathan Seale would serve alongside the mayor as the Assistant Elections Manager. She noted State law has certain duties and requirements during the elections process the mayor must perform.

9. **Resolution 2025-03-17-07** for consideration to appoint an assistant to the Assistant Elections Manager and an Assistant Absentee Elections Manager for the City of Pelham's 2025 municipal elections

City Manager Gretchen DiFante stated former City Clerk/Treasurer Tom Seale would serve to assist in the elections process in the event the current City Clerk/Treasurer is unavailable or in need of assistance.

10. **Resolution 2025-03-17-08** for consideration to set the election officers compensation for the City of Pelham's 2025 municipal elections

City Manager Gretchen DiFante reviewed the compensation for each position and noted it is consistent with the amount approved for the 2020 municipal elections.

11. **Resolution 2025-03-17-09** for consideration to designate certain elected officials as voting delegates to the Alabama League of Municipalities' annual business meeting

Councilmember Coram made a motion to remove Resolution 2025-03-17-09 from the March 17, 2025 council meeting agenda. Councilmember Leverett seconded the motion.

There being no further discussion, the motion passed by a unanimous voice vote of those members of the council present and the President of the Council declared the same passed and removed.

12. **Resolution 2025-03-17-10** for consideration to authorize the purchase of police investigative equipment from the Federal Forfeiture funds

City Manager Gretchen DiFante stated the police department purchased a 2016 model FARO Scanner in 2021, which aids in mapping crime scenes. A discount is being offered to agencies who trade in their old models for the new model. She noted it would save the City about one-third of the cost or \$15,865.00.

13. **Resolution 2025-03-17-11** for consideration to approve the lowest and most responsible proposal from Kevin Miller Development, Inc. for the waterline replacement at the Pelham Splash Pad. This project was budgeted for FY2025.

Director of Development Services & Public Works André Bittas stated this was an old waterline needing to be replaced and further stated this would not be a continuing issue created by the splash pad.

14. **Resolution 2025-03-17-12** for consideration to approve the lowest and most responsible bid from Temple J Electric for the installation of traffic signal camera detection system upgrades at 11 intersections in the City of Pelham. This project was budgeted for FY2025.

City Manager Gretchen DiFante stated this will be the last 11 intersections to receive the traffic signal cameras. She noted the project has been successful and has cut down on traffic congestion within the City.

15. **Resolution 2025-03-17-13** for consideration to enter into an agreement with the United States Geological Survey to perform required field and analytical work as directed through the city's MS4 Program and Stormwater Ordinance. This expense was budgeted for FY2025.

City Manager Gretchen DiFante stated this was a standard agreement and would allow for creek water level monitoring services of waterways flowing through the City to be continued.

F. Public Hearing(s)

1. To consider altering, rearranging, and reducing the corporate limits of the City of Pelham by deannexing certain real property owned by the North Shelby Library District, Parcel No. 10 6 23 0 001 018.002, containing approximately 4.490 acres, located at 5521 Cahaba Valley (Alabama Highway 119), Birmingham, Alabama 35244.

City Manager Gretchen DiFante noted this item was presented at the last work session and tonight would be the public hearing and first reading of the ordinance.

2. Set the date and time for a public hearing to consider revisions to the City of Pelham's Zoning Ordinance

It was the consensus of those members of the council present to set the public hearing for April 7, 2025 at 7:00 p.m.

3. Set the date and time for a public hearing to consider revisions to the City of Pelham's Code of Ordinances for Business Licenses

It was the consensus of those members of the council present to set the public hearing for April 7, 2025 at 7:00 p.m.

G. Mayor's Report/Comments

H. Recognition of Retirements from the City of Pelham

1. David Smith, Pelham Public Library
2. Deputy Chief Chris Carpenter, Pelham Fire Department

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

J. Report by the City Manager

K. Report by the City Attorney

L. Request(s) to Address the Council

1. Dr. Gaytan Glover, Introduction of Toastmasters International to the Pelham Community

M. Old Business / Resolutions / Ordinances / Orders and Other Business – None

N. New Business / Resolutions / Ordinances / Orders and Other Business

1. **Resolution 2025-03-17-14** for consideration of ABC license 140 - Special Events Retail for applicant Legends Music, LLC located in the parking lot of 1000 Amphitheater Road, Pelham, Alabama 35124 operating under the trade name Oak Mountain Spring Fair 2025

City Manager Gretchen DiFante stated Live Nation had entered into a contract agreement for the Oak Mountain Spring Fair 2025 prior to the City of Pelham acquiring the property. She said this has been an annual event.

2. **Resolution 2025-03-17-15** for consideration to approve a proposal from Barrett Architecture Studios to provide design services for the Pelham Public Library's circulation desk. This project was budgeted for FY2025.

There were no comments or questions from any member of the city council.

3. **Ordinance No. 520** to alter, rearrange and reduce the corporate limits of the City of Pelham by deannexing certain real property owned by the North Shelby Library District, Parcel No. 10 6 23 0 001 018.002, containing approximately 4.490 acres, located at 5521 Cahaba Valley (Alabama Highway 119), Birmingham, Alabama 35244. First Reading.

There were no comments or questions from any member of the city council.

4. **Ordinance No. 521** for consideration to authorize and establish use of certain electronic vote counting devices and a system accessible for individuals with disabilities for the City of Pelham Municipal Elections. First Reading.

There were no comments or questions from any member of the city council.

(End of the March 17, 2025 Agenda Review)

Executive Session

Council President Mercer stated for the record the purpose of the Executive Session is to discuss preliminary negotiations involving matters of trade or commerce in which the governmental body is in competition with private individuals or entities or other governmental bodies in Alabama or in other states or foreign nations or to discuss matters or information of the character defined or described in the Alabama Trade Secrets Act under Section 36-25A-7(a)(7a), Code of Alabama (1975), as amended, security plans, procedures, assessments, measures, or systems, or the security or safety of persons, structures, facilities, or other infrastructures, including, without limitation, information concerning critical infrastructure, as defined by federal law, and critical energy infrastructure information, as defined by federal law, the public disclosures of which could reasonably be expected to be detrimental to public safety or welfare under Section 36-25A-7(a)(4), Code of Alabama (1975), as amended, and 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 under Section 36-25A-7(a)(3), Code of Alabama (1975), as amended and to discuss the general reputation and

character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees under Section 36-25A-7(a)(1), Code of Alabama (1975), as amended.

City Attorney Josh Arnold stated the purpose of tonight's Executive Session is appropriate under Sections 36-25A-7(a)(7a), 36-25A-7(a)(4), 36-25A-7(a)(3)(a), 36-25A-7(a)(1), Code of Alabama 1975, as amended.

A motion was made by Councilmember Coram to enter into 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, Councilmember	<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, Director of Development Services & Public Works André Bittas, former City Clerk/Treasurer Tom Seale, and City Clerk/Treasurer Jonathan Seale to attend the Executive Session. Council President Mercer stated, per City Manager Gretchen DiFante, he expected the city council to return from the Executive Session in approximately 15 minutes and would recess the work session immediately following the conclusion of the Executive Session. The city council went into an Executive Session at 6:46 p.m.

Councilmember Coram moved to recess the Executive Session. Said motion was seconded by Councilmember Wash. The motion passed unanimously by voice vote of those members present, and the Executive Session was recessed at 6:58 p.m.

Council President Mercer called the work session back to order at 7:04 p.m.

Recess

A motion was made by Councilmember Coram to recess the March 17, 2025 city council work session. Councilmember Leverett seconded the motion.

There being no further discussion, the motion passed by a unanimous voice vote of those members of the city council present and the Council President declared the same passed and announced the work session was recessed at 7:05 p.m.

Council President Mercer called the March 17, 2025 city council work session back to order at 8:19 p.m.

Executive Session, continued

Council President Mercer called the Executive Session back to order at 8:19 p.m. It was noted for the record 58, Inc. President/CEO Amy Sturdivant was invited to attend a portion of the Executive Session.

Councilmember Coram moved to adjourn the Executive Session. Said motion was seconded by Councilmember Leverett. The motion passed unanimously by voice vote of those members present, and the Executive Session was adjourned at 9:50 p.m.

Council President Mercer called the work session back to order at 9:51 p.m.

Adjournment

A motion to adjourn the work session was made by Councilmember Coram and seconded by Councilmember Leverett. The motion passed unanimously by voice vote of those members present, and the work session was adjourned at 9:52 p.m.

Respectfully submitted this 17th day of March 2025.



Jonathan Seale, CMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

