



CITY COUNCIL MEETING MINUTES

**Pelham City Hall
City Council Chambers
April 7, 2025 – 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: April 7, 2025
Time: 7:00 p.m.
Place: Pelham City Hall – City Council Chambers
Present: President of the Council Maurice Mercer
Councilmember David Coram
Councilmember Chad Leverett
Councilmember Rick Wash
Councilmember Michael Harris, Jr.
Mayor Gary Waters

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.

NEW BUSINESS

1. **Resolution 2025-04-07-01** affirming the Mayor's appointment for Chief of Police of Pelham, Alabama was introduced by Council President Mercer.

City Manager Gretchen DiFante spoke to the extensive hiring and selection process to find Pelham's next Chief of Police. She commented on Ed Delmore's distinguished career as well as the qualifications and experience he brings with him to Pelham.

Mayor Waters noted Alabama State Law allows him the appointment power to name the Chief of Police. He requested, as is customary in Pelham, for the city council to affirm Ed Delmore as his appointment for Pelham's next Chief of Police.

Councilmember Wash made a motion to approve Resolution 2025-04-07-01 as presented by Council President Mercer. Councilmember Coram seconded the motion.

There being no further discussion, the motion to adopt Resolution 2025-04-07-01 passed by a unanimous voice vote of those members present. The President of the Council declared the same passed and adopted.

2. Oath of Office – Chief of Police, City of Pelham, Alabama

Chief Ed Delmore, accompanied by his wife Ann, was sworn into office by City Clerk/Treasurer Jonathan Seale.

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.

3. Approval of the April 7, 2025 City Council Agenda
4. Approval of the March 17, 2025 Regular Council Meeting Minutes
5. **Resolution 2025-03-17-09** for consideration to designate certain elected officials as voting delegates to the Alabama League of Municipalities' annual business meeting

It was noted for the record Resolution 2025-03-17-09 was removed from the April 7, 2025 council meeting agenda by council action.

6. **Resolution 2025-04-07-02** for consideration to participate in the WBRC Fox 6 2025 Summer Staycation Campaign. This project was budgeted for FY2025.
7. **Resolution 2025-04-07-03** for consideration to appoint citizens to fill the vacancies in Place Nos. 1, 3, 4, and 5 on the City of Pelham Commercial Development Authority
8. **Resolution 2025-04-07-04** for consideration to accept the lowest and most responsive bid from Mark Johnson Construction, LLC for upgrades and improvements at Sewer Lift Stations "KOA" and "P" and to authorize the mayor to execute the Notice of Award. This project was budgeted in FY2025.
9. **Resolution 2025-04-07-05** for consideration to accept the lowest and most responsive bid from Central Alabama Asphalt Construction, LLC for the city's FY2025 street resurfacing projects. This project was budgeted in FY2025.
10. **Resolution 2025-04-07-06** for consideration to accept the lowest and most responsive bid from TriGreen Equipment for a remote-controlled commercial mower for the Public Works Department. This purchase was budgeted in FY2025.
11. **Resolution 2025-04-07-07** for consideration to approve a Water Resources, Conservation, and Emergency Plan for the City of Pelham
12. **Resolution 2025-04-07-08** for consideration to accept the sole bid, plus alternate, from Sport Resource Group for street hockey dasher boards and netting for the Parks & Recreation Department. This purchase was budgeted in FY2025.
13. **Resolution 2025-04-07-09** for consideration to accept the CAWACO R&D grant in the amount of \$7,500.00 for benefit of the Pelham Garden Club
14. **Resolution 2025-04-07-10** for consideration to accept the lowest and most responsible bid from Stone & Sons Electrical Contractors, Inc. for the US-31 Roadway Lighting Project. This project was budgeted in FY2025.

Council President Mercer stated the complete text of the agenda, minutes, ordinances, 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 Harris seconded the motion.

There being no further discussion, 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>Yes</u>
Rick Wash, Council Member	<u>Yes</u>
Michael Harris, Jr., Council Member	<u>Yes</u>

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 public hearings for which proper notice had been given. The motion was seconded by Councilmember Wash and approved unanimously by a voice vote of those members present. The council meeting recessed at 7:17 p.m.

1. To consider revisions to the City of Pelham's Zoning Ordinance

Council President Mercer announced the public hearing was in session for the purpose to consider revisions to the City of Pelham's Zoning Ordinance.

Director of Development Services & Public Works André Bittas provided an overview of the revisions to the City of Pelham Zoning Ordinance.

Council President Mercer stated the city council would now hear comments both for and against the revisions to the City of Pelham's Zoning Ordinance.

- City of Pelham Director of Development Services & Public Works André Bittas spoke in favor.
- Ron Griggs, 399 Oxford Way, Pelham, AL 35124 spoke in favor.
- There were no members of the public in attendance speaking against the proposed revisions.

There being no further discussion, Council President Mercer stated the public hearing to consider revisions to the City of Pelham's Zoning Ordinance had concluded.

2. To consider revisions to the City of Pelham's Code of Ordinances for Business Licenses

Council President Mercer announced the public hearing was in session for the purpose to consider revisions to the City of Pelham's Code of Ordinance for Business Licenses.

Assistant City Manager Justin Smith provided a brief overview of the revisions to the business license ordinance.

Council President Mercer stated the city council would now hear comments both for and against the revisions to the City of Pelham's Code of Ordinances for Business Licenses.

- City of Pelham Assistant City Manager Justin Smith spoke in favor.
- There were no members of the public in attendance speaking against the proposed revisions.

There being no further discussion, Council President Mercer stated the public hearing to consider revisions to the City of Pelham's Code of Ordinances for Business Licenses had concluded.

3. To consider altering, rearranging, and increasing the corporate limits of the City of Pelham by annexing certain real property owned by Stephen Allen Thompson and Mary Jeanette Thompson, Parcel Nos. 14 4 18 4 001 099.001 and 14 4 18 4 001 005.003, containing approximately 1.12 acres, located at 1063 Shelby County Highway 72, Pelham, Alabama 35124.

Council President Mercer announced the public hearing was in session for the purpose to consider the annexation request.

It was noted for the record both the Fire and Police chiefs had no objection to the annexation request. City Clerk/Treasurer Jonathan Seale stated City staff has reviewed the annexation request and had no concerns.

Council President Mercer stated the city council would now hear comments both for and against the annexation request.

- Stephen Allen Thompson, 1063 Shelby County Highway 72, Pelham, Alabama 35124 spoke in favor.
- There were no members of the public in attendance speaking against the annexation request.

There being no further discussion, Council President Mercer stated the public hearing to consider the annexation request had concluded.

4. To consider altering, rearranging, and increasing the corporate limits of the City of Pelham by annexing certain real property owned by Benjamin Thompson and Katie Thompson, Parcel No. 14 4 18 4 001 005.009, containing approximately 1.510 acres, located at 1060 Shelby County Highway 72, Pelham, Alabama 35124.

Council President Mercer announced the public hearing was in session for the purpose to consider the annexation request.

It was noted for the record both the Fire and Police chiefs had no objection to the annexation request. City Clerk/Treasurer Jonathan Seale stated City staff has reviewed the annexation request and had no concerns.

Council President Mercer stated the city council would now hear comments both for and against the annexation request.

- Benjamin Thompson, 1060 Shelby County Highway 72, Pelham, Alabama 35124 spoke in favor.
- There were no members of the public in attendance speaking against the annexation request.

There being no further discussion, Council President Mercer stated the public hearing to consider the annexation request had concluded.

Council President Mercer called the April 7, 2025 city council meeting back to order at 7:30 p.m.

MAYOR’S REPORT/COMMENTS – None

RECOGNITION OF RETIREMENTS FROM THE CITY OF PELHAM

1. Jeanie Davis, Communications & Records Manager – Pelham Police Department
2. City Manager Gretchen DiFante recognized outgoing Chief of Police Brent Sugg for his two years of service to the City of Pelham.

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

REPORT BY THE CITY MANAGER

City Manager Gretchen DiFante made the following comments:

- Ballantrae Golf Club will host the Pelham City Schools Golf Tournament next week.
- Ballantrae Golf Club hosted 75 people for its Friday night buffet on April 4, 2025. She commented on the excellent food, drink specials, and scenery ending in socializing around the outdoor fire pit.
- Edgar's Bakery has started site work. All three food retailers at the library development site are officially under construction.

- The construction of the two new pavilions at the splash pad are underway. Plans are to have construction completed in time for opening day of the splash pad on May 17, 2025.
- The trail extension running from Campus 124 to Amphitheater Road is being staked with grading and site preparation to follow, weather permitting.
- The Birmingham Bulls clinched fourth seed in the SPHL playoffs and are playing at home in the Pelham Civic Complex & Ice Arena on Saturday, April 12, 2025 at 7:00 p.m.
- Taste of Pelham 2025 was a great event with plenty of food and friends.

REPORT BY THE CITY ATTORNEY – None

REQUEST(S) TO ADDRESS THE COUNCIL – None

OLD BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS – None

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS – Continued

1. **Resolution 2025-04-07-11** for consideration of ABC license 140 – Special Events Retail for applicant Margarita Grill, LLC operating under the trade name Margarita Grill Cinco de Mayo 2025 located at 234 Cahaba Valley Road, Pelham, Alabama 35124 was introduced by Council President Mercer.

Councilmember Coram made a motion to approve Resolution 2025-04-07-11. Councilmember Harris seconded the motion.

There being no further discussion, the motion to adopt Resolution 2025-04-07-11 passed by a unanimous voice vote of those members present and the President of the Council declared the same passed and adopted.

3. **Resolution 2025-04-07-12** for consideration to authorize a cost-of-living adjustment for the Pelham City Manager per the Employment Agreement dated March 18, 2024, retroactive to January 1, 2025. This expense was budgeted in FY2025.

Councilmember Coram made a motion to approve Resolution 2025-04-07-12 as presented by Council President Mercer. Councilmember Wash seconded the motion.

There being no further discussion, the motion to adopt Resolution 2025-04-07-12 passed by a unanimous voice vote of those members present and the President of the Council declared the same passed and adopted.

4. **Resolution 2025-04-07-13** for consideration to authorize the funding and phasing of City Park Baseball Complex Improvements was introduced by Council President Mercer.

Councilmember Leverett made a motion to approve Resolution 2025-04-07-13. Councilmember Wash seconded the motion.

There being no further discussion, the motion to adopt Resolution 2025-04-07-13 passed by a majority voice vote (4-1) of those members present, with Councilmember Coram dissenting, and the President of the Council declared the same passed and adopted.

5. **Resolution 2025-04-07-14** for consideration to appoint a citizen to the Pelham Board of Education, Place 2, with the term of office ending on May 31, 2030

Councilmember Harris made a motion to approve Resolution 2025-04-07-14. Councilmember Wash seconded the motion.

It was noted for the record the name of Bob Lavett was moved forward from the work session by a 4-1 majority vote of the city council.

Further discussion followed regarding the interview and selection processes.

Council President Mercer requested his comments be included in the minutes as follows: *“I’m not voting in the affirmative because we didn’t follow precedent in the appointment process. Following precedent ensures a fair and consistent approach, free from political influence, and helps maintain public trust by showing that decisions are based on qualifications and established procedures—not shifting political agendas.”*

Councilmember Coram requested his comments be included in the minutes as follows: *“Well, I guess I will add my comments since everyone else has spoken. Today is a sad day for the City of Pelham. Because we had a process in place that has worked every single year we have selected a school board member during this council's term. Every single year it has worked, and by all accounts, it worked again. That is because the person that had the top votes was in the top three for every single council member. It is a sad day because not only is the majority not following the process that we had in place that has always been successful, and was successful this time, but instead they are letting politics stand in the way of representing a vulnerable group of students in our city. Our special needs students. This is something that is close to my heart because I have a special needs family member who always struggled to have a voice in the school system where he lived. We finally had the opportunity for that segment of our students to have a voice, and instead because the majority did not like the outcome of the results of our process, that group of students will be silenced once again on our school board. It is sad that politics has silenced this group. Therefore, I cannot support the majority decision to select Bob Lavett for the school board.”*

There being no further discussion, the motion to adopt Resolution 2025-04-07-14 passed by a majority voice vote (3-2) of those members present, with Council President Mercer and Councilmember Coram dissenting, and the President of the Council declared the same passed and adopted.

- 6. **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 Road (Alabama Highway 119), Birmingham, Alabama 35244. **(First Reading was on March 17, 2025).**

Councilmember Coram moved to adopt Ordinance No. 520 as presented and Councilmember Wash 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. 520.

Council President Mercer stated there is precedent for deannexing property in this area due to its distance from Pelham emergency services.

There being no further discussion, 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>Yes</u>
Rick Wash, Council Member	<u>Yes</u>
Michael Harris, Jr., Council Member	<u>Yes</u>

The motion to adopt Ordinance No. 520 passed unanimously by roll call vote of those members present and the President of the Council declared the same passed and adopted.

- 7. **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 was on March 17, 2025).**

Councilmember Coram moved to adopt Ordinance No. 521 as presented and Councilmember Wash 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. 521.

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>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 Ordinance No. 521 passed unanimously by roll call vote of those members present and the President of the Council declared the same passed and adopted.

8. **Ordinance No. 135-267** for consideration to repeal and replace the Zoning Ordinance of the City of Pelham, Alabama. **(First Reading)**

Ordinance No. 135-267 was introduced and read in summary by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 135-267 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.

9. **Ordinance No. 288-16** for consideration to amend and repeal certain sections of Chapter 5 of the Pelham, Alabama Code of Ordinances pertaining to business licenses. **(First Reading)**

Ordinance No. 288-16 was introduced and read in summary by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 288-16 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.

10. **Ordinance No. 522** for consideration to alter, rearrange, and extend the corporate limits of the City of Pelham by annexing certain real property owned by Stephen Allen Thompson and Mary Jeanette Thompson, Parcel Nos. 14 4 18 4 001 099.001 and 14 4 18 4 001 005.003, containing approximately 1.12 acres, located at 1063 Shelby County Highway 72, Pelham, Alabama 35124. **(First Reading)**

Ordinance No. 522 was introduced and read in its entirety by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 522 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.

11. **Ordinance No. 523** for consideration to alter, rearrange, and extend the corporate limits of the City of Pelham by annexing certain real property owned by Benjamin Thompson and Katie Thompson, Parcel No. 14 4 18 4 001 005.009, containing approximately 1.510 acres, located at 1060 Shelby County Highway 72, Pelham, Alabama 35124. **(First Reading)**

Ordinance No. 523 was introduced and read in its entirety by Council President Mercer as a First Reading.

He stated a complete text of Ordinance No. 523 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.

- Bree Amidon – 2642 Chandafern Drive, Pelham, AL 35124 regarding the Pelham Board of Education appointment.
- Jonathan Bolen – 241 Stoneykirk Way, Pelham, AL 35124 regarding the Pelham Board of Education appointment.
- Roberto Rodriguez – 2116 Aaron Road, Pelham, AL 35124 regarding the popularity of pickleball and wanting to have a dedicated venue in Pelham to host events.

CITY COUNCIL COMMENTS

Councilmember Coram thanked everyone who was involved with Taste of Pelham 2025.

Councilmember Leverett commented on the interview and selection processes for the Pelham Board of Education. He commended outgoing Chief of Police Brent Sugg for doing an outstanding job for the City of Pelham and wished him well.

Councilmember Wash thanked outgoing Chief of Police Brent Sugg for all he has done for the City of Pelham Police Department. He said he is a true leader who leads by example. He thanked all the applicants who interviewed and participated in the Pelham Board of Education selection process. He said it is important to have strong citizen involvement.

Councilmember Harris thanked outgoing Chief of Police Brent Sugg for his time in Pelham. He said his leadership and humor will be missed.

Council President Mercer thanked outgoing Chief of Police Brent Sugg. He said he has a huge amount of respect for him and asked him to keep in touch and not be a stranger. He commented on the success of Taste of Pelham 2025. He said this year in particular was a treat with so much good food. He thanked everyone involved. Council President Mercer thanked all the applicants who interviewed for the Pelham Board of Education vacancy and said they should be commended for putting their name in the hat. He encouraged everyone to please reapply and get involved in some other capacity.

PUBLIC ANNOUNCEMENTS – None

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 8:24 p.m.

Respectfully submitted this 7th day of April 2025.

Jonathan Seale, CMC, City Clerk/Treasurer

Maurice Mercer, President of the Council

