City Council
Work Session Minutes

Pelham City Hall - Council Conference Room
July 21, 2025 – 5:00 PM

Proper notice of the regular 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.

Call to Order

The work session was called to order by Council President Mercer at 5:00 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 the July 7, 2025 Regular Work Session Minutes

A motion was made by Councilmember Coram to approve the July 7, 2025 Regular 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.

Old Business

1. Discussion - Rezoning request for property located at the corner of County Road 52 East and Racquet Club Parkway

Walker Gibson and Brian Moura were in attendance representing QuikTrip. Mr. Gibson stated following the work session on July 7, 2024, he and his client had a meeting with City staff to get clarification and answers on pending questions. Mr. Moura distributed packets to the city council members containing a modified site plan and draft renderings. City Manager Gretchen DiFante reminded the city council members about the required secondary property access from Racquet Club Parkway. Director of Development Services & Public Works Andre Bittas stated if the city council was unwilling to sell a portion of the property for QuikTrip's ingress and egress, any future building permit would have to be denied, regardless if the rezoning request was approved.

It was the consensus of those members of the city council present stating they appreciated the concept of QuikTrip's stores, but there is too much saturation in that area with other fueling stations. The council members expressed their appreciation to QuikTrip for choosing to look at Pelham, and they hoped another property in the City could be considered in the future.

Councilmember Leverett made a motion to give City Clerk/Treasurer Jonathan Seale the authority to draft a resolution for city council consideration at the August 4, 2025 regular city council meeting to formally deny the property access request from QuikTrip. Councilmember Coram seconded the motion. There being no further discussion, the motion was approved by a unanimous voice vote of those members of the council present and the President of the Council declared the same passed.

New Business

1. Discussion - FY2026 funding requests for City Council consideration

City Manager Gretchen DiFante stated the City adjusted its application process and set criteria for requests for funds by non-profit entities. She provided a brief recap of the process used last year to award the funds. She said it was the City staff's recommendation for two council members to be appointed to review the applications for this year and make a formal recommendation at a future work session.

It was the consensus of those members of the council present to use the two council members appointed to the finance team, Council President Mercer and Councilmember Harris.

City Manager DiFante stated The American Legion Matthew Blount Post 555 would be in attendance at tonight's city council meeting to provide a funding report awarded last year. She said they were able to sponsor two Pelham High School students to attend Boys and Girls State this summer.

It was the consensus of those members of the council present to schedule the remaining four organizations to present on their funding use, in accordance with the funding agreement, at the two meetings in August.

2. Discussion - Annual contract increase related to the Amwaste residential garbage rates

City Manager Gretchen DiFante stated Amwaste informed the Cahaba Solid Waste Disposal Authority it would be exercising its contractual right to increase rates the full 5.00% based on the annual CPI-U. She stated the Pelham City Council has noted their desire in the past to provide 60-days notice to customers. She said the city council authorized a supplement to the previous increase. She said the supplement has been budgeted for FY2026. If approved, the new monthly residential base rate would increase from $26.08 to $27.39. She added she is seeking guidance from the city council if they would like to move forward with approval at tonight's city council meeting or discuss further and wait until a future meeting. City Manager DiFante stated Amwaste has also requested additional increases above the annual CPI-U. She said a subcommittee of the Authority has been appointed comprising of herself, the Vestavia Hills city manager and the Mountain Brook Assistant City Manager.

It was the consensus of those members of the council present to move forward with consideration of the increase during tonight's council meeting.

3. Discussion - Rescheduling the September 1, 2025 Work Session and Council Meeting due to Labor Day

It was the consensus of those members of the council present to reschedule the September 1, 2025 and September 15, 2025 work sessions and council meetings to September 8, 2025 and September 22, 2025, respectively.

Review of the July 21, 2025 City Council Agenda

Council President Mercer and City Manager Gretchen DiFante reviewed the July 21, 2025 city council agenda.

E. Consent Agenda

A consent agenda is presented by the Council President at the beginning of a council meeting. Items presented on the consent agenda are considered routine and non-controversial and are organized apart from the rest of the agenda and are adopted by general consent 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 Council President and City Council.

1. Approval of the July 21, 2025 City Council Agenda
2. Approval of the July 7, 2025 Regular Council Meeting Minutes

3. **Resolution 2025-07-21-01** for consideration to authorize the purchase of protective fire equipment (helmets). This expense is included in the FY2025 budget.

Fire Chief Mike Reid stated he had budgeted to replace the existing fire helmets with lighter, more comfortable models over the next three years. He noted having had previous neck injuries himself and these helmets should help mitigate those injuries. He said the Shelby County Commission generously paid for the full cost of the 90 replacement radios in the fire department. He said this allowed him to make a budget transfer and he can now purchase all 75 fire helmets at one time. and pay for the full cost of the new radios, a budget transfer could be made to

4. **Resolution 2025-07-21-02** for consideration to accept the lowest responsive and responsible bid from Gillespie Construction, LLC for the Sanitary Sewer Rehabilitation Project Phase IV-A. This project was budgeted in FY2025.

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

5. **Resolution 2025-07-21-03** for consideration to accept a proposal from and enter into an agreement with Wisener, LLC to provide appraisal, right-of-way acquisition, and project management services related to the Pelham Greenway Trail Project, Phases III and IV. This project was budgeted in FY2025.

City Manager Gretchen DiFante stated these phases of the trail were delayed due to ongoing litigation. She said now that the litigation has been settled the project can move forward.

F. Public Hearing - None

G. Mayor's Report/Comments

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

I. Report by the City Manager

1. Nancy Waller - American Legion Matthew Blount Post 555

Amanda Orr - Alabama Girls State
Lucas Kalba - Alabama Boys State

2. Recognition of the City of Pelham employee participants in the 2025 World Police & Fire Games

J. Report by 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 2025-07-21-04** for consideration to declare a temporary moratorium on stores that sell, or intend to sell, hemp and/or vape products in the corporate limits of the City of Pelham, Alabama

Assistant City Manager Justin Smith stated this topic has been discussed at previous meetings. He said there is still limited guidance from the ABC Board. He said this moratorium emphasizes the City's existing Zoning Ordinance until such guidance can be handed down from the State to the local level. He added the December 31, 2026 deadline will give the City the flexibility to amend its Zoning Ordinance in the event it is determined not to be sufficient.

2. **Resolution 2025-07-21-05** for consideration of ABC License 020 - Restaurant Retail Liquor - for applicant WCB Pelham LLC, operating under the trade name Waldo's Chicken and Beer, located at 2812 Pelham Parkway, Pelham, Alabama 35124

Police Chief Ed Delmore stated there was nothing foul about this application and he recommended approval.

Casey Atherton, Partner/Owner of Waldo's Chicken and Beer, noted how excited he and his team were to be located in Pelham. He said construction has gone really well and said it is going to be a great store location.

3. **Resolution 2025-07-21-06** for consideration to enter into a Memorandum of Understanding (MOU) with the City

of Pelham Commercial Development Authority (CDA) related to adjacent parcels located along Montgomery Highway

Assistant City Manager Justin Smith stated the City obtained a permit from the Alabama Department of Transportation (ALDOT) on behalf of the City of Pelham Commercial Development Authority (CDA). He said the permit will allow the CDA to remove existing asphalt and replace with landscaping for it property located off Montgomery Highway. He stated the MOU simply outlines the agreement between the City and CDA. He added the CDA has already approved the MOU.

4. **Resolution 2025-07-21-07** for consideration to consent to the annexation of property located at 104 Meadow Creek Lane into the corporate limits of the City of Alabaster, Alabama

City Attorney Josh Arnold stated the property owner at 104 Meadow Creek Lane has requested annexation into the City of Alabaster, Alabama. He noted this is one of three parcels currently located in unincorporated Shelby County located between the City of Pelham and City of Alabaster. He added, per State statute, the City of Pelham must consent to the annexation since it technically falls within it police jurisdiction. Mr. Arnold noted having heard no adverse responses from City staff on this annexation, he recommended approval of the resolution.

5. **Resolution 2025-07-21-08** for consideration to establish the new monthly residential garbage rate based on the annual CPI-U increase, in accordance with the City of Pelham's contractual obligations

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

(End of the July 21, 2025 Agenda Review)

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 under Section 36-25A-7(a)(3), 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(a)(3), 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 Yes

David Coram, Councilmember Yes

Chad Leverett, Council Member Yes

Rick Wash, Council Member Yes

Michael Harris, Jr. Council Member Yes

Council President Mercer noted the Executive Session would take place in the Council Conference Room and asked the members of the City Council, Mayor Waters, City Manager Gretchen DiFante, Assistant City Manager Justin Smith, Director of Development Services & Public Works Andrè Bittas, City Clerk/Treasurer Jonathan Seale, and City Attorney Josh Arnold 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 30 minutes. The city council went into an Executive Session at 6:13 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 6:52 p.m.

Council President Mercer called the July 21, 2025 city council work session back to order at 6:52 p.m.

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 6:53 p.m.

Respectfully submitted this 21st day of July 2025.

Maurice Mercer, President of the Council

Jonathan Seale, CMC, City Clerk/Treasurer

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