City of Pelham

City Council Work Session
May 24, 2010

MINUTES

Members of the Pelham City Council met on May 24, 2010. The work session was held in the conference room of Pelham City Hall and was open to the public.

The following elected officials were present:

Mayor Don Murphy
Council President Mike Dickens
Councilmember Teresa Nichols
Councilmember Bill Meadows
Councilmember Steve Powell
Councilmember Karyl Rice

Media Present: None

Others present: Tom Seale, Eddy Jowers, Roy Lambert, Butch Byrd, Officer Scott Bottchen, Gary Waters, Lt. Pete Folmar, Mike Morgan, Chief Danny Ray, Maurice Mercer, Bob Miller, Dewitt Marcum, D.J. Strickland, David McCurry, Janis Parks and other city employees and members of the public.

The council work session was called to order by Council President Mike Dickens at 6:00 pm.

Approval of Minutes

A motion was made by Councilmember Steve Powell to approve the May 3, 2010 work session minutes. The motion was seconded by Councilmember Karyl Rice and by voice vote the motion passed unanimously by all members present.

Mayor's Comments

Mayor Murphy elected to hold his comments until council meeting.

Review of Council Agenda

Mr. Dickens reviewed the council agenda for May 24, 2010 and noted other council business would be addressed in the work session as time permits.

Resolution 2010-05-24-01 Authorizing a grant application and matching funds from the Department of Homeland Security through the Federal Emergency Management Agency (FEMA) for the Assistance to Firefighter Grant Program. Mr. Meadows questioned David McCurry regarding grants available to purchase a ladder truck.

Ordinance 67-7 to amend Chapter 4, of the City Code dealing with Buildings, Construction and related activities, and Chapter 7, of the City Code dealing with Fire Protection and Prevention regarding the 2009 International Building Code. Dr. Nichols questioned why it was necessary to update the current ordinance. Fire Chief Danny Ray explained ISO recommended the City update from the 2003 to the 2009 code. Revenue Director Mike Morgan stated the Building Department and Fire Department had worked on the update for a number of months. Mr. Meadows asked which code the city was currently enforcing. Mr. Morgan stated the 2003 code was being enforced by the City. The recommendation to adopt the 2009 code included an option for residential fire sprinklers, not mandated by the City, which is similar to surrounding cities. Further discussion involved residential sprinkler systems in the 2003, 2007 and 2009 codes. Mr. Powell requested attorney Butch Ellis review the proposed ordinance revision and compliance with the new state law. (NOTE: Mr. Ellis approved the revisions on May 25, 2010 and did not see any conflicts with state law.)

Resolution 2010-05-24-02 authorizing Alabama Power to install two streetlights and bill the City of Pelham for the electrical service only in the Bear Holler sub-division. There was no further discussion.

Resolution 2010-05-24-03 approving a Special Use Permit for T-Mobile, 90 Yeager Farm Road, Pelham, Alabama for modification of an existing telecommunications facility within the City of Pelham. The Center for Municipal Solutions, the city's cellular tower consultant, explained T-Mobile was updating their service from a 2G to a 3G network to provide improved wireless services essentially within the corporate limits and police jurisdiction of the City of Pelham. There were no additional questions.

<u>Old Business</u> - NONE

<u>New Business</u>

Roberto Rodriquez, Advanced Disposal Systems, requested the council consider bidding waste disposal services prior to the end of the current contract on September 30, 2010. Mr. Meadows noted the Shelby County Commission was considering the renewal of their current contract with Waste Management. Mr. Rodriquez explained Advanced Disposal Systems uses a two-man system and recycle containers are closed. Advanced Disposal Systems is currently under contract with several cities in our area providing waste disposal services. Mayor Murphy questioned the length of the contract. Mrs. Rice responded the current contract is for three years. Mr. Powell noted the City could bid the contract and if the pricing was higher than the county contract all bids could be rejected and the City "piggy back" the Shelby County contract.

Dr. Nichols moved that the May 24, 2010 agenda be amended to include a motion requesting the city clerk prepare bid specifications for council review for waste and recycling removal in the City of Pelham for a three year contract. Dr. Nichols further stated the bid specifications are to be ready for council review on June 7, 2010. Mr. Meadows seconded the motion and there being no further discussion and by voice vote, the motion to amend the agenda passed unanimously by those members present.

Dr. Nichols brought to the attention of the council the ongoing issues with the private lift station in the Royal Chase sub-division and reminded the council she had provided a draft resolution for consideration. Mr. Dickens asked Public Works Director Eddy Jowers about the estimated cost to upgrade the lift station. Mr. Jowers stated an approximate cost of $ 100,000, which did not include three phase electrical power, property acquisition, easements, sewer trunk lines, etc. Dr. Nichols commented the homeowners could share in the cost of the improvements. Mayor Murphy stated it was his understanding the homeowners had no desire and were not willing to participate in the upgrading of the private lift station. Mr. Meadows said he was not sure how many private lift stations were located in Pelham. Dr. Nichols said a homeowners association was to be established, according to the sub-division covenants, for the express purpose of maintaining the lift station, which was never done. She further stated she was sure the council would assist in the process of establishing a homeowners association. Additional discussion followed among the various council members. Mr. Dickens stated that assisting with improvements to a private lift station would be setting a precedent and the thought of doing that scares him.

Mr. Dickens announced the council work session for June 7, 2010 would be held at 5:30 pm in the Police/Court Building's auditorium in order to make it convenient for those interested city employees to attend. The purpose of the work session is the presentation of the Mercer salary study to the mayor and council. Scott Cook, Mercer, Inc. has requested a three hour session with the council. As with all work sessions, the meeting is open to the public but is not a public hearing. Council meeting will follow the work session at 8:45 pm. Mr. Dickens asked the city clerk to notify the media and department heads regarding the time and place of the work session. The department heads are requested to attend the work session.

Mayor Murphy updated the council on the city's desire to purchase 4058 Saddle Run Circle for the purpose of flood mitigation and to construct a detention pond. The Department of Housing and Urban Development has approved the City's application to purchase the property but FEMA grant funds have been frozen which were to be used to buy the property. The Mayor gave a brief history of the Saddle Run flooding and noted if the city did buy the property prior to the FEMA grant funding only the lot would be subject to reimbursement, approximately $ 30,000. Consulting engineer D.J. Strickland stated 4058 Saddle Run Circle was essential to the flood mitigation plan due to its location and elevation. Other lots could possibly be used but would increase the costs and may not be as effective. Mr. Powell asked the Mayor for recommendations. Mayor Murphy said if the city bought the property for $ 129,600 there was a chance of not receiving any FEMA reimbursement money. The Mayor said this was a council decision. Mr. Powell asked Mr. Strickland about other alternatives. Mr. Strickland said if the houses are not purchased the flooding problem would not be solved. Discussion among the council followed regarding the consequences if the City did not buy the houses.

Adjournment

Without any further business before the council work session, Mrs. Rice made a motion to adjourn, which was seconded by Mr. Powell. The motion passed unanimously by all those present and the work session was adjourned at 7:10 pm.

Respectfully submitted,

Tom Seale, Finance Director/City Clerk

Seal