

City of Pelham
City Council Work Session
July 12, 2010

MINUTES

Members of the Pelham City Council met on July 12, 2010 at 6 pm. 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, Gary Waters, Lt. Pete Folmar, Mike Morgan, Janis Parks, Scott Bottchen, Chief Danny Ray, David McCurry, Ken Camp, Willard Payne, Roberto Rodriquez, Johnny Busby 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 Teresa Nichols to approve the June 21, 2010 work session minutes. The motion was seconded by Councilmember Bill Meadows and by voice vote the motion passed unanimously by all members present.

Mayor's Comments

- Wal-Mart's grand reopening was held last week. A donation was made by Wal-Mart in the amount of \$ 1,000 for the senior bus fund.
- Negative comments toward the Pelham Library were published in the "Letter to the Editor" section in a recent issue of the Shelby County Reporter regarding the restricted use of the library facilities. The Mayor noted 126,311 visits have been made to the library this year and 15,819 patrons have used the computers. The complaint was specific to the length of time allowed per session on the computer. Mayor Murphy stated a time limit was used to permit more users of the computer.
- Stacks Furniture Outlet will open in late August in the old Wal-Mart location. They expect to employ 100-150 people.

- Announced the city had agreed to refinance the 1998A and 1998B sewer bond issues. The refinance will save the city approximately \$ 660,000 over the next nine years in interest, attorney and bond counsel fees and insurance.

Review of Council Agenda

Resolution 2010-07-12-01 appointing Mildred Lanier to the Pelham Planning Commission for a six year term ending September 30, 2016 filling the expiring term of Herman Cook. There was no additional discussion.

Resolution 2010-07-12-02 authorizing payment for the purpose of removal/replacement of storm sewer pipe and associated appurtenances along Shelby County Highway 52 and Applegate Parkway in the amount of \$ 43,188.75 from the Capital Improvement Fund. (1st Reading) Mayor Murphy explained the storm water runoff problem affecting Highway 52. He further stated the Shelby County Commission, Oak Mountain Business Park, LLC and the City of Pelham had mutually agreed to equally share in the cost. Mr. Meadows inquired on the need to waive the council rules and approve the resolution tonight. Mayor Murphy said that would not be necessary.

Ordinance 443 repealing Ordinance 411 which provides lifetime free membership to the Pelham Racquet Club and Ballantrae Golf Club for any retiring City of Pelham employee or officials with certain minimum years of service and repealing Resolution dated February 6, 2006 which adopted a membership policy at the Pelham Racquet Club and Ballantrae Golf Club for any retiring City of Pelham employee or officials with certain minimum years of service. (1st Reading) Discussion followed regarding the repeal of Ordinance 411. It was noted the city's auditors had advised this retiree benefit would be considered taxable according to IRS regulations, requiring the issuance of a 1099 income statement each year. They further stated this retiree benefit could have actuarial accrual and financial statement implications. The auditors recommended the city council consider repealing the ordinance granting the retirees this benefit. City attorney Butch Ellis stated the city could consider "grandfathering" current retirees and eliminating the benefit for future retirees. Mr. Powell noted, as a city retiree, he was not a member of either the Pelham Racquet Club or Ballantrae Golf Club. Mayor Murphy followed those comments stating retirees had to request a membership from each facility, it was not automatic. Mrs. Rice said when the ordinance was passed in 2006 no consideration was given to a possible taxable benefit issue. Mr. Dickens stated the city must be compliant with all employee and retiree benefits whether they apply to racquet or golf membership privileges or city vehicle benefits.

New Business

Mrs. Rice announced a rezoning hearing would be held on August 2, 2010 to consider rezoning one parcel into two parcels. The Planning Commission has recommended their approval to the city council. The owner has no plans at this time to build on the property.

Old Business

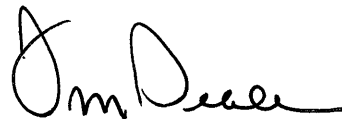
Garbage Contract Dr. Nichols moved to approve the garbage bid specifications as submitted. Said motion was seconded by Mr. Meadows and by voice vote the motion was approved unanimously. The city clerk was instructed to request proposals for residential garbage services.

Sewer Ordinance – Dual Water Dr. Nichols deferred to Mr. Powell for review of a flow chart he had prepared. Mr. Dickens noted he was pleased to have the council bring issues and identify problems to the attention of the full council through research and written recommendations. Mr. Powell proceeded through the flow chart with Mr. Dickens asking the council to approve or disapprove each provision. Public Works Director Eddy Jowers requested the council include a “meter set” (meter, meter box, backflow preventer and inspection) in the cost of a second meter. Items discussed included: penalties for misuse of a second meter, 10% credit on current sewer bills, location of the meter in the easement or within three feet of the easement, the current main tap on fee of \$ 1,500.00 and the purpose of a second meter. Mr. Meadows asked about the commercial applications for a second meter. Mrs. Rice noted the discussion of a second meter was for residential customers. Mr. Dickens cautioned any flexibility in a second meter policy could result in future problems. With the issues of a second meter still under consideration, Mr. Powell moved to table discussion until the July 19, 2010 council work session. Mrs. Rice seconded the motion and by voice vote the motion was approved unanimously.

Adjournment

Due to time constraints, Mr. Powell moved to adjourn the work session and said motion was seconded by Mr. Meadows. The motion passed unanimously by those present and the work session was adjourned at 7:01 pm.

Respectfully submitted,



Tom Seale, Finance Director/City Clerk

