

**CITY OF PELHAM**  
**Council Work Session**  
**Pelham City Hall - Council Conference Room**  
**January 24, 2011 – 6 p.m.**

**MINUTES**

Members of the Pelham City Council met on January 24, 2011 at 6:00 p.m. 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: Neal Wagner, Shelby County Reporter

Others present: City department heads, city employees and members of the public.

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

Approval of Minutes

A motion was made by Dr. Nichols to approve the January 17, 2011 work session minutes. The motion was seconded by Mr. Meadows and by voice vote the motion passed unanimously by all members present.

Mayor's Comments

Mayor Murphy elected to hold his comments until regular council meeting.

Review of Council Agenda

- A. Call to Order
- B. Invocation
- C. Pledge of Allegiance
- D. Roll Call

#### 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 is 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 January 24, 2011 City Council Agenda.
2. Approval of the January 17, 2011 regular City Council meeting minutes.
3. Approval of the following non-budgeted expenses from restricted fund accounts:
  - a. 911 Fund – Current Balance: \$ 48,171.54
    1. Request to purchase 7 VHF and 7 UHF radios in the amount of \$ 8,568.00 for the new 2011 police cars. (Police Department) Lt. Scott Tucker explained the radios are being replaced in order to be compliant in 2013.
  - b. State Forfeiture Fund – Current Balance: \$ 39,642.33
    1. Request to pay Mary Harris, Shelby County Circuit Court Clerk, \$ 212.00 for court costs related to the Notice of Judgment on case number CV 2010-238. (Police Department) Lt. Scott Tucker explained the fees involved with the forfeiture.

F. Public Hearing – None

G. Mayor's Comments

H. Proclamations – None

I. Requests to Address the Council - None

J. Old Business - None

K. New Business

1. Resolution 2011-01-24-01 Accepting bid for a point of sale (POS) software and support system at Ballantrae Golf Club at no direct cost to the City of Pelham. Director of Golf Butch Byrd explained the problems with the current system and the need to replace. The company submitting the only bid provides all software, equipment and training for five years. The value of the software exceeds \$ 100,000 where the city will provide a barter agreement of two foursomes per day, Monday

through Sunday. There is no out of pocket cash to Ballantrae Golf Club. There are many additional features that are a part of the new POS system.

L. Council and Public Comments

M. Public Announcements

N. Adjournment

Old Business

There were questions regarding the agreement between the City and the Alabama Symphony's concerts in Pelham. Rev. Mike Shaw had questions about a concert to be held at the church and sought clarification as to the Alabama Symphony's responsibilities. Mr. Dickens reviewed the contract and determined the Symphony was within their authority to charge an admission fee at the First Baptist Church of Pelham for the concert.

Ordinance 247-5 revisions were distributed by Mr. Powell for review by the council.

New Business

City Park sewer issue was discussed by Parks and Recreation Director Billy Crandall. He discussed several options in solving the sewer problems.

- Scenario 1: Cost \$ 53,000 to \$ 55,000 (See Worksheets)
- Scenario 2: Cost \$ 55,000 (See Worksheets) – Recommended by Billy Crandall and Byrd Contracting. Mr. Dickens and Mrs. Rice asked if the city purchased the exact pipe recommended by the contractor and the city pays for the labor through the contractor would the contractor guarantee all work and materials.
- Scenario 3: Cost \$ 35,000 - \$ 40,000 (See Worksheets – above ground installation) Mr. Crandall stated there could be possible issues with runoff with ADEM with the above ground sewer line solution. Byrd Contracting, the city's sewer consultant, did not recommend this option.
- Scenario 4: Cost approximately \$ 10,000, if rock, \$ 8,600 if no rock. (See Worksheet) Shelby County Health Department has already approved the septic tank perk test. This option would require amending of the current sewer ordinance.

Mr. Meadows inquired about a commercial exemption in the sewer ordinance. He said the city and businesses must be treated the same and asked the council to consider an elevated sewer line. Mr. Meadows further stated we must be concerned with the flood way and flood plain. Mr. Powell said he was not in favor of amending the ordinance. He said the sewer rates have recently been increased and it was against his core values to change the ordinance to benefit the city when others have been required to hook onto the sewer in the past. Mr. Powell said he was

concerned about opening Pandora's Box regarding future requests. Mr. Dickens stated the sewer system was developed and required those to hook onto the system in order to fund the ongoing operation of the system.

Mayor Murphy stated that we need to remember the city is "us" and we need to spend city funds wisely. He noted the septic system worked fine for 25 years and asked why the city could not install another septic system with the Shelby County Health Department's approval. Mr. Dickens said the city must be careful in having the potential to grant future exceptions. Mr. Meadows questioned new construction and existing septic tanks that have experienced a failure. Mr. Crandall explained the requirements for an exemption to be granted to a residence. The council discussed the economic feasibility of tying onto the sewer system for commercial businesses. Revenue Director Mike Morgan explained the Board of Adjustments is responsible for considering hardships and exceptions. Public Works Director Eddy Jowers made further comments regarding the requirements for hooking onto the city sewer system. Mr. Powell stated in our attorney's opinion the options were either to amend the sewer ordinance or hook onto the public sewer system.

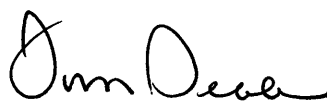
Dr. Nichols moved to approve Scenario 2 and place it on tonight's council agenda to also include that the cost would not exceed \$ 50,000 and the contractor had to warranty all labor and materials on the project. Mr. Powell seconded the motion. Mr. Meadows made a secondary motion that the city proceed with Scenario 4 (septic tank system) which would require the amending of the sewer ordinance to include commercial and businesses. Said secondary motion failed for a lack of a second. The motion to approve Scenario 2 was approved by a vote of 4-1 with Mr. Meadows voting no.

#### Adjournment

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 6:57 p.m.

Respectfully submitted,



  
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Tom Seale, Finance Director/City Clerk