

CITY OF PELHAM
Council Work Session
Pelham City Hall - Council Conference Room
February 7, 2011 – 5:30 p.m.

MINUTES

Members of the Pelham City Council met on February 7, 2011 at 5:30 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 Bill Meadows - Arrived at 5:49 p.m.
Councilmember Teresa Nichols - Arrived at 5:48 p.m.
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 5:35 p.m.

Approval of Minutes

A motion was made by Mrs. Rice to approve the January 24, 2011 work session minutes. The motion was seconded by Mr. Powell and by voice vote the motion passed unanimously by all members present.

Mayor's Comments

Mayor Murphy welcomed everyone and made the following comments:

- Thanked the council for their fund raising efforts for the Polar Plunge. Special thanks to Bill Meadows and Gary Waters for taking the plunge.
- Through the efforts of the Library Guild, our library was awarded the FINRA Grant in the amount of \$88,000. This grant was awarded to only 20 libraries in the nation and will allow us to promote financial literacy through various programs to our children and residents.
- Yesterday, February 6, 2011 Shelby County celebrated its 193rd birthday at the Old Courthouse in Columbiana. Governor Robert Bentley was in attendance.

New Business – AS TIME PERMITS.

Tobacco Tax Resolution – Mr. Dickens asked the council to review the proposed resolution requesting our legislative delegation to introduce a local bill allowing the City of Pelham to establish a tobacco tax by ordinance. Mr. Powell inquired as to the method of collecting the tobacco tax.

Old Business – AS TIME PERMITS

Proposed revision of Ordinance 247-4 (Retiree Health Insurance).

Proposed revision of Sewer Ordinance 156.

City Attorney Butch Ellis was present per the Council's request regarding revisions to the Sewer Ordinance. Mr. Ellis stated the exemption in the Zoning Ordinance does not apply to the Sewer Ordinance; this is not a zoning issue. Mr. Dickens stated the proposed change in the sewer ordinance deleted the term "single-family residential" and replaced it with "improved realty". Mr. Powell asked Mr. Ellis is it acceptable to replace the failed septic tank with a new septic tank system under the current ordinance. Mr. Ellis said it was not acceptable and the sewer ordinance would have to be changed in order to install a septic tank system. Mrs. Rice said we could commit to the sewer project and amend the ordinance at a later time. Mr. Dickens said he wanted a level playing field, not just to benefit the city. Again, Mr. Ellis stated he recommended passing the amended ordinance in order to make it fair to everyone. Discussion followed regarding several reasons for amending the ordinance. Mr. Ellis stated the requirement of tying onto the sewer is twofold, health purposes and generating sufficient income for a viable sewer system. Mr. Meadows asked how a revision in the ordinance would affect new businesses. Mrs. Rice explained the sewer history of the parcel of property she purchased on Highway 261 for her business. Mr. Ellis mentioned the current exceptions in the sewer ordinance.

Executive Session

Mr. Dickens moved that the city council enter into executive session for the sole purpose of discussing contract negotiations. Said motion was seconded by Mr. Meadows and by voice vote the motion was approved unanimously by all members present. The council recessed at 6:08 p.m. Mr. Dickens requested Mayor Don Murphy, City Attorney Butch Ellis and City Clerk Tom Seale attend the executive session. Mr. Dickens stated the council would return at 6:45 p.m. The council returned at 6:41 p.m. and the work session was called back to order and the council resumed their review of tonight's council agenda.

Review of Council Agenda

Mr. Dickens reviewed the council agenda for February 7, 2011.

- 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 February 7, 2011 City Council Agenda.
- 2. Approval of the January 24, 2011 regular City Council meeting minutes.
- 3. Approval of the following non-budgeted expenses from restricted fund accounts:
 - a. None – Current Balance: \$ 0.00
 - 1. None

F. Public Hearing – None

G. Mayor's Comments

- 1. Kathy Wells, Executive Director, Safe House of Shelby County

H. Proclamations – None

I. Requests to Address the Council

- a. Cynthia Thornburg, Student Council Advisor, Valley Intermediate School
- b. Randy Goggins, regarding the Deer Ridge sub-division (Removed from Agenda)
- c. David Ladewig, regarding citywide WiFi

J. Old Business

1. **Resolution 2011-01-24-02** authorizing the installation of forced main sewer system at City Park in an amount not to exceed \$ 18,750 with materials, labor and equipment to be guaranteed by the contractor was added to the agenda.

K. New Business

1. **Resolution 2011-02-07-01** authorizing the renaming of First Alabama Bank Drive to Tony Holmes Drive in the City of Pelham, Alabama.
2. **Resolution 2011-02-07-02** authorizing the Finance Director to obtain an unsecured promissory loan to finance seven new 2011 police vehicles and further authorizing the Mayor to sign such documents on behalf of the City with Central State Bank for \$ 159,397.00, no closing costs or attorney fees, for 36 months at 1.75 % fixed rate interest. (Expense was included in the FY2011 Police Department Operating Budget.)
3. **Resolution 2011-02-07-03** authorizing the Mayor and City Clerk to issue and sign the Certificate designating the promissory loan as a “qualified tax-exempt obligation” of the City of Pelham within the meaning of Section 265(b)(3)(B) of the Internal Revenue Code.
4. **Resolution 2011-02-07-04** appointing Gwen Kaminski to the unexpired term of Pamela Thurber on the Pelham Beautification Board with term expiring on September 30, 2011.
5. **Ordinance 156-6** amending Section 10-50 of the Code of Ordinances, City of Pelham, Alabama, to provide further exemptions from sewer connection requirements by deleting the term “a single-family residence” and replacing with “any improved realty”. **(1st Reading)**

L. Council and Public Comments

M. Public Announcements

Mr. Powell distributed information regarding an option to connect the City Park concession stand/bathrooms to the city sewer system submitted by Chris Ramsey of CR Management, Maintenance and Construction, LLC. Mr. Powell had met with Parks Director Billy Crandall the previous Saturday to review potential options. Mr. Crandall stated he had no objection to the alternative solution but did not know if it would work. Dr. Nichols asked Public Works Director Eddy Jowers to review. Mr. Dickens asked the council to consider (1) adding Resolution 2011-01-24-02, authorizing the sewer work at City Park, to the agenda, (2) remove the revision of Ordinance 156-6 from the agenda or (3) leave Ordinance 156-6 on the agenda. Mr. Dickens further stated if the septic tank system is authorized the tank and field lines would have to be approved by the Shelby County Health Department. Mr. Jowers asked the council if there were any provisions in the proposal if rock was encountered. It was stated there was no “rock clause” in the proposal.

Announcements - None

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 6:59 p.m.

Respectfully submitted,



Tom Seale, Finance Director/City Clerk

